

State of Mississippi  
Methods of Administration  
Workforce Investment Act

2013



MISSISSIPPI DEPARTMENT *of* EMPLOYMENT SECURITY

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**Mark Henry**  
*Executive Director*

**Dovie Reed**  
*State – WIA Equal Opportunity Officer*



## Mississippi Department of Employment Security

**Phil Bryant**  
**Governor**

Mark Henry  
Executive Director

January 30, 2013

Mr. Roger O'Campo  
Civil Rights Center  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Room N-4123  
Washington, DC 20210

Dear Mr. O'Campo:

The Mississippi Department of Employment Security remains true to its mission to create an atmosphere and maintain an attitude of equal opportunity while increasing employment in Mississippi. The Methods of Administration (MOA) outlined herein, reflects our commitment to provide a reasonable guarantee of compliance with Federal nondiscrimination and equal opportunity laws in programs, policies and procedures. Our compliance provides equal access to financially assisted programs, activities, and recipients of Mississippi.

We stand ready to meet the needs and challenges of a culturally diverse workforce. It is Mississippi's pledge under the hand of the Governor's designee to certify that the provisions as set forth under Section 188 of the Workforce Investment Act of 1998 and 29 CFR, Part 37 are in compliance.

Please accept this correspondence as notice that the regulations implementing the nondiscrimination and equal opportunity provisions of WIA remain compliant. Should you have any concerns, please telephone Equal Opportunity Officer, Dovie Reed at 601.321.6024.

Sincerely,

A handwritten signature in blue ink that reads "Mark Henry".

Mark Henry, Executive Director

File

*Increasing Employment in Mississippi*

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*MDES is an Equal Employment Opportunity Employer*

## Methods of Administration (MOA)


The Mississippi Department of Employment Security (MDES) is committed through its Methods of Administration (MOA) to ensure compliance with State and Federal nondiscrimination and equal opportunity requirements.

This Methods of Administration document contained herein, addresses equitable services; designations of an equal opportunity officer; dissemination of policy; data and information collection; adoption of a discrimination complaint processing procedure; and periodic compliance reviews of local field offices and departments. The MOA further addresses the review of nondiscrimination and equal employment provisions of contracts, assurances; accessibility of programs and activities; policy communication and training to ensure that local office staff who are assigned equal opportunity responsibilities are aware of how to carry-out the responsibility; procedures for obtaining prompt corrective action, or as necessary, applying sanctions when non-compliance is found; and assurances of compliance with Federal and State laws prohibiting discrimination in training and employment programs.

The Equal Opportunity staff coordinates the administration of nondiscrimination and equal opportunity programs, provides technical assistance to local and administrative offices and facilitates the resolution of allegations of discrimination.

Equal opportunity will be achieved by requiring that all administrative and local field offices of MDES provide services and benefits in an equitable manner and apply fair employment practices in every personnel decision including recruitment, hiring, promotions, training, demotions and other terms and conditions of employment. MDES assures the achievement of equal opportunity by requiring offices to document equal opportunity efforts in the provision of services.

The MOA will be reviewed annually to determine achievement of goals and objectives, and the necessity for changes as dictated by State and Federal laws and regulations of the United States Department of Labor. Compliance monitoring and data collections will be used to continuously track equal opportunity performance. This includes ensuring compliance with nondiscrimination and equal opportunity provisions and pursuing corrective remedial action when noncompliance is found.



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**Dovie Reed**  
State WIA Equal Opportunity Officer  
Mississippi Department of Employment Security

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# State of Mississippi Methods of Administration Workforce Investment Act (WIA)

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## Overview

The Workforce Investment Act of 1998 (WIA), Public Law 105–220 (August 7, 1998), provides the framework for a reformed national workforce preparation and employment system designed to meet the needs of the nation’s employers, its job seekers, and those who want to further their careers. The nondiscrimination and Equal Opportunity provisions of WIA, Section 188, prohibit discrimination against applicants, beneficiaries and employees on the basis of race, color, national origin, age, disability, sex, religion, and political affiliation or belief, as well as against beneficiaries on the basis of citizenship and participation in WIA.

Section 188 of WIA also requires that States develop, implement and maintain, for each of their State programs, a document titled the Methods of Administration (MOA). The MOA describes the actions the State takes to ensure its WIA Title I-financially assisted programs, activities, and program operators are complying with the Equal Opportunity and nondiscrimination requirements of WIA and its implementing regulations. The regulations that implement the nondiscrimination and Equal Opportunity provisions of the WIA, published at 29 CFR Part 37, require that each Governor establish and adhere to an MOA for their State programs. By submitting an MOA, the Governor agrees to fully follow its provisions, including updating the MOA on a periodic basis. The MOA is submitted to the Civil Rights Center (CRC) of the United States Department of Labor (USDOL) for review and approval. This update is the renewal document for Mississippi and will be effective beginning January 2013.

The MOA is organized in nine (9) sections titled Elements:

- 1) Designation of State and Local Level Equal Opportunity (EO) Officers;
- 2) Notice and Communication;
- 3) Review assurances, job training plans, contracts, policies and procedures;
- 4) Universal Access;
- 5) Compliance with Section 504 of the Rehabilitation Act of 1973, as amended and 29 CFR part 37;
- 6) Data and Information Collection and Maintenance;
- 7) Monitoring Recipients for Compliance;
- 8) Complaint Processing Procedures; and
- 9) Corrective Actions/Sanctions.

Each Element consists of a narrative section containing links to the appropriate documents in the supporting documentation section. The narrative of each Element is a description of how the State and its recipients are meeting the requirements of 29 CFR Part 37.

#### **ELEMENT 1: DESIGNATION OF STATE AND LOCAL LEVEL EQUAL OPPORTUNITY (EO) OFFICERS**

The intent of this section is to ensure that any individual the recipient appoints as EO Officer has the education, training and experience, and is provided the necessary ongoing training and qualified staff, to perform his or her duties. The State should ensure that the EO Officer is not in a position that would constitute, or appear to constitute, a conflict of interest. The EO Officer may not be assigned duties, responsibilities, or activities that would constitute a conflict of interest or the appearance of such a conflict.

#### **ELEMENT 2: NOTICE AND COMMUNICATION**

The intent of this section is to ensure the establishment of a notice and communication system that makes registrants, applicants, eligible applicants/registrants, applicants for employment, employees and the public aware of the recipient's obligation to operate its programs and activities in a nondiscriminatory manner. In addition, notice and communication should include information regarding the right to file complaints of discrimination.

#### **ELEMENT 3: REVIEW ASSURANCES, JOB TRAINING PLANS, CONTRACTS, AND POLICIES AND PROCEDURES**

The intent of this section is to ensure the review of assurances, job training plans, contracts, and policies and procedures for compliance with the nondiscrimination provisions of WIA and it implementing regulations.

The State should address the procedures the State and its recipients are following and will continue to follow in assessing the ability of grant applicants, if funded, or training providers, if declared eligible, to comply with WIA section 188 and 29 CFR part 37.

#### **ELEMENT 4: UNIVERSAL ACCESS**

The intent of this section is to ensure that the State and its recipients are complying and will continue to comply with the requirements relating to the provision of universal access to programs and activities.

The State should ensure that it communicates the obligation of recipients (Local Workforce Investment Areas, one-stop operators and service providers) to make efforts (including outreach) to broaden the composition of the pool of those considered for participation or employment in their programs and activities. This should be done in an effort to include members of both sexes, of the various racial and ethnic groups and of various age groups, as well as individuals with disabilities.

#### **ELEMENT 5: COMPLIANCE WITH SECTION 504 OF THE REHABILITATION ACT OF 1973, AS AMENDED**

The intent of this section is to ensure that the State and its recipients are complying and will continue to comply with the requirements of the disability related requirements of WIA section 188; and Section 504 of the Rehabilitation Act of 1973, as amended; and their implementing regulations. These implementing regulations include but are not limited to 29 CFR 37.7, 37.8, and 37.9 and Subparts B and C of 29 CFR Part 32.

The State should ensure that it and its recipients meet their obligation not to discriminate on the basis of disability, provide reasonable accommodation for individuals with disabilities, provide reasonable modification of policies, practices and procedures, provide architectural accessibility for individuals with disabilities and provide programmatic accessibility for persons with disabilities.

#### **ELEMENT 6: DATA AND INFORMATION COLLECTION AND MAINTENANCE**

The intent of this section is to ensure that the State and its recipients are complying and will continue to comply with the requirements related to data and information collection and maintenance.

The State must ensure that a data and information collection and maintenance system for its WIA Title I-financially assisted State programs is established and maintained. The system's most important purposes are to assist the Civil Rights Center (CRC), State, local-level EO Officers, etc. in performing the following: (1) Monitoring equal opportunity performance; (2) Identifying instances or areas of discrimination; and (3) Identifying individuals or groups of individuals who have been discriminated against on a basis prohibited by WIA section 188 and 29 CFR part 37.

#### **ELEMENT 7: MONITOR RECIPIENTS FOR COMPLIANCE**

The intent of this section is to ensure that the State and its recipients are complying and will continue to comply with the requirements to establish procedures to monitor periodically all aspects of the recipient's compliance with WIA section 188 and 29 CFR part 37.

The State must ensure that each equal opportunity (EO) monitoring review include a review of each recipient's: (1) Compliance with its administrative obligations under WIA section 188 and 29 CFR part 37 (*e.g.*, assurances, notice and communication, EO Officers), (2) Compliance with responsibilities it has been assigned through the MOA; (3) Programs and activities, to determine whether discrimination is occurring. This activity is the most important part of the monitoring review.

#### **ELEMENT 8: COMPLAINT PROCESSING PROCEDURES**

The intent of this section is to ensure that the State and its recipients are complying and will continue to comply with the requirements regarding the complaint processing procedures.

The State must ensure, at a minimum, recipients that are required to do so have developed and published complaint procedures. Complaint procedures must provide for the issuance of a written Notice of Final Action within 90 days of the date on which the complaint is filed.

#### **ELEMENT 9: CORRECTIVE ACTIONS/SANCTIONS**

The intent of this section is to ensure that the State and its recipients are complying and will continue to comply with the requirements regarding the obtaining of prompt corrective action or, as necessary, applying sanctions when noncompliance is found.

The State must ensure, at a minimum, the standard for corrective and remedial actions to be applied when violations of WIA section 188 or 29 CFR part 37 are found. Corrective and remedial actions must be designed to correct each violation completely. For each corrective action, a minimum timeframe should be set to correct the violation.

# Element One: Designation of State and Local Level Equal Opportunity Officers (29 CFR 37.54(D)(1)(ii))

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## Purpose

The purpose of this Methods of Administration (MOA) is to provide a reasonable guarantee of Mississippi's compliance with the Americans with Disability Act, Section 504 of the Rehabilitation Act of 1973 (amended), Section 188 of the Workforce Investment Act of 1998, and 29 CFR Part 37 as the State implements and executes the Workforce Investment Act (WIA) of 1998. The intent of the MOA applies to: (1) any recipient; (2) programs and activities that are part of the One-Stop delivery system and that are operated by One-Stop partners listed in section 121(b) of the WIA, to the extent that the programs and activities are being conducted as part of the One-Stop delivery system; and (3) the employment practices of a recipient and/or One-Stop partners, as provided in 29 CFR 37.2. The MOA must be renewed every two years, and the State must advise the Department of Labor's Civil Rights Center (USDOL CRC) promptly of updates to the MOA, and of changes to the State WIA Equal Opportunity Officer (State WIA EO) to ensure compliance with 20 CFR 37.55(b). Additionally, the State WIA EO Officer should not be in a position that would constitute a conflict of interest. The State must assure that on equal opportunity matters, the State WIA EO Officer, reports directly to the appropriate agency official.

## Narrative

Each individual designated as a State level Equal Opportunity Officer and each individual designated as a local level Equal Opportunity Officer, by name, position title, business address (including e-mail address if applicable) and telephone number (including TDD/TTY number). (See 29 CFR 37.23.)

### STATE OF MISSISSIPPI WIA EQUAL OPPORTUNITY OFFICER:

#### **Dr. Dovie Reed**

(Documentation Section, hereafter, DS 1 [Biography of Dr. Dovie Reed](#))

State WIA EO Officer

Equal Opportunity Department

Mississippi Department of Economic Security

1235 Echelon Parkway

P.O. Box 1699

Jackson, MS 39215

Phone: (601) 321-6024

Fax: (601) 321-6037

E-Mail: [DReed@mdes.ms.gov](mailto:DReed@mdes.ms.gov)

## LIST OF MISSISSIPPI LWIA EO OFFICERS:

The State of Mississippi has 4 designated local areas under the Workforce Investment Act. Each LWIA has identified an LWIA EO Officer. Listed below are the names and job titles:

### **Barbara Humphrey**

([See DS 2 Biography of Barbara Humphrey](#))

WIA Youth Coordinator/LWIA EO Officer

Delta Workforce Investment Area

South Delta Planning and Development

District

P.O. Box 1776

Greenville, MS 38702-1776

(662) 335-6889

[bhumphrey@sdpdd.com](mailto:bhumphrey@sdpdd.com)

### **Larry Anderson**

([DS 4 Biography of Larry Anderson](#))

Director, Human Resources Division/LWIA

EO Officer

Central Mississippi Planning and

Development District

SouthCentral Mississippi Works

1170 Lakeland Drive

Jackson, MS 39216

(601) 981-1511

[landerson@cmpdd.org](mailto:landerson@cmpdd.org)

### **Gary Golden**

([DS 3 Biography of Gary Golden](#))

WIA Adult Program Coordinator/LWIA EO  
Officer

Mississippi Partnership

Three Rivers Planning and Development

District

75 South Main Street

P.O. Box 690

Pontotoc, MS 38863

(662) 489-2415

(662) 489-6815 fax

[ggolden@trpdd.com](mailto:ggolden@trpdd.com)

### **Sandie Brock**

([DS 5 Biography of Sandie Brock](#))

WIA Workforce Youth

Administrator/LWIA EO Officer

Twin Districts Workforce Area

Southern Mississippi Planning and

Development District

700 Hardy Street

Hattiesburg, MS 39401

(601) 545-2137

[sbrock@smpdd.com](mailto:sbrock@smpdd.com)

In recent years the Mississippi Department of Employment Security has made exceptional strides to address the need of its diverse work force while facing challenges with legislative reauthorization. In 2005 intensive efforts were made to cross train the agency's staff to provide full and timely services for our customers. During the aftermath of Hurricane Katrina in 2005, the agency implemented an unemployment call center and deployed mobile units to receive unemployment insurance claims and provide job services for thousands of individuals and hundreds of businesses affected by the catastrophe. The results has been a continuity of operations that provides reasonable assurance of the implementation of nondiscrimination and equal opportunity under the law.

The Governor assigned the responsibility of providing Workforce Investment Act services and programs for the state with the Mississippi Department of Employment Security when the Legislature changed the Workforce Commission to an Agency. The workforce administrative agency was converted from a three- member commission operating as the Mississippi Employment Security Commission to a cabinet level Agency which now operates as the Mississippi Department of Employment Security. The Executive Director of the agency appointed by the Governor had three Deputies (now two) who reported to the Executive Director.

In 2006 changes were made to streamline the department with emphases on employment, business community, customer service, process efficiency and teamwork. The agency's employment goal is to transition clients quickly from unemployment to employment by making the agency more visible to the public, and by partnering with other organizations who are either beneficiaries of the agency's services or of the agency's partners. The agency is committed to ongoing staff training to improve customer services internally and externally. Consequently the agency has invested in its workforce and is a Stephen Covey 7 Habits of Highly Effective People organization.

Since 2008 the Executive Director has focused on narrowing the Executive and Senior level structure to provide an efficient and direct path to the Executive Team. Currently the Department's cabinet level structure includes an Executive Director, a Deputy Executive Director/Chief Financial Officer and a Deputy Director/Chief Operations Officer. The Executive Directors are supported by a team of ten (10) senior staff personnel who assist in all operations of the agency. The State WIA Equal Opportunity Officer has been converted from an intermediate level of management to the senior level. This change has created a more direct approach to the Workforce Investment Act network activities and needs. The State WIA Equal Opportunity Officer function was assigned to MDES in 2005. In an effort to streamline the reporting function, that function was combined with the MDES Equal Opportunity Officer function. The Executive Director of the agency assumes the responsibility of continued efficient, accessible and non-discriminatory operation of the agency. After a thorough assessment of the agency's continued operations, the agency determined it could best administer its services and programs with these organizational changes. (See [DS 6 Senior Staff Organizational Chart](#); [DS 7 Equal Opportunity Organizational Chart](#))

Because of the often contentious nature of the political environment in the state, the Executive Director has taken on the role of Communicator in Chief. He is required to spend his time on setting the organization's focus and direction, and then communicating that focus and direction to the agency's many publics. The agency's two Deputy Directors also have areas of primary responsibility. In addition to financial responsibilities the Deputy Director/Chief Financial Officer leads the Human Capital area and is tasked with setting and monitoring the organizational culture and tone of the agency. The Deputy Director/Chief Operations Officer heads up the customer operations responsibilities of the agency. Working as a close team the Executive Director and the two Deputy Directors interact regularly and share decision making responsibilities as an Executive Staff Team. Under this configuration the Equal Opportunity Officer reports to the Deputy Executive Director/Chief Financial Officer on internal and non-workforce investment act matters. The Equal Opportunity Officer may report to the Executive Director on matters relating to the Workforce Investment Act. The reporting structure provides a more intensive approach in addressing and expediting issues relating to equal and non-equal opportunity matters, while still maintaining the Executive Director's control and guidance over matters associated with the

Department's function of the State Workforce Investment Equal Opportunity Officer. Mississippi continues to be committed to ensuring that its recipients comply with equal opportunity and nondiscrimination provisions of the Workforce Investment Act of 1998.

## **Local WIA Equal Opportunity Officers**

The reporting structure for the Local Equal Opportunity Officers is to report to the State Equal Opportunity Officer any complaints or issues regarding equal opportunity. ([DS 8 Delta WIA organizational chart](#); [DS 9 Mississippi Partnership WIA organizational chart](#); [DS 10 Southcentral Mississippi Works WIA organizational chart](#); [DS 11 Twin Districts WIA organizational chart](#).)

**The duties of the EO Officer(s), and the manner in which those duties are carried out. (At a minimum, duties assigned to the EO Officer must include those listed in 29 CFR 37.25.) Describe both the EO duties, responsibilities and activities associated with the implementation of 29 CFR part 37, and all other duties, responsibilities and activities associated with the implementation of 29 CFR part 37, and all other duties, responsibilities and activities. *Note: The EO Officer may not be assigned duties, responsibilities or activities that would constitute a conflict of interest or the appearance of such a conflict. (See 29 CFR 37.24.)***

The State WIA EO Officer's designated duties associated with the implementation of 29 CFR Part 37 include:

1. Advises the Executive Director on MDES' overall nondiscrimination and equal opportunity program.
2. Develops and implements policies, and procedures to ensure the effective implementation of MDES responsibilities under applicable equal opportunity and nondiscrimination statutes and regulations covering programs receiving Federal financial assistance.
3. Reads and interprets Federal and State laws, regulations, policies and procedures related to program services, as well as LWIA policies and procedures to ensure compliance with equal opportunity and civil rights.
4. Oversees the development and implementation of the recipient's Methods of Administration under 37.54.
5. Monitors, on a statewide basis, a wide variety of programs receiving financial assistance from MDES to assess their compliance with EO laws and regulations.
6. Plans and administers a statewide equal opportunity compliance assistance and training program for MDES recipients and MDES employees.
7. Develops policies, procedures, and guidance for the Department's EO programs. Manages the EO programs and provides compliance assistance and advice to MDES management on their responsibilities.
8. Develops and implements the MDES program that ensures accessibility for disabled persons to all MDES occupied facilities as required by the Architectural Barriers Act. Directs implementation of Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination based on disability in programs or activities conducted by MDES.



9. Prepares and presents equal opportunity information and/or concerns to Executive Management, Regional Directors, Managers, and Supervisors; and
10. The State WIA EO Officer's job duties and responsibilities in the WIA Section do not create a conflict of interest with the responsibilities as EO Officer. (DS See link to State Personnel Board website for job description for State WIA Equal Opportunity Officer:  
<http://agency.governmentjobs.com/mississippi/default.cfm?action=viewclassspec&classSpecID=796961&agency=2153&viewOnly=yes> ; [DS Biography for Dr. Dovie Reed](#) )

**The manner in which the recipient makes the identity of the EO Officer(s) known to applicants, registrants, eligible applicants/registrants, participants, employees, and applicants for employment, as well as interested members of the public. (See 29 CFR 37.26.)**

The name of the State WIA EO Officer is provided to all the Local Workforce Investment Areas (LWIAs) staff by letter and the "Equal Opportunity Is the Law" poster is distributed and is posted wherever WIA services are provided. ([DS 12-14 "Equal Opportunity Is the Law" poster in English](#), in [Spanish](#) and in [Vietnamese](#))

The "Equal Opportunity Is the Law" poster is distributed by the State to all LWIAs in electronic form (English and Spanish) and can be edited to include Local Area EO information and printed out, as well as included in LWIA forms, such as participant enrollment forms, policies, etc. Registrants, eligible applicants, participants, claimants, employees and applicants for employment, as well as interested members of the public and any others, are made aware of the local EO Officer through the LWIA nondiscrimination posters, administrative orders, policies, and letters. State WIA and LWIA Equal Opportunity Officers' contact information appears on all internal and external communications about nondiscrimination and equal opportunity programs.

**The level of staff and other resources available to State and local level EO Officer(s) to ensure that WIA Title I-financially assisted programs and activities operate in a nondiscriminatory way. (See 29 CFR 37.26(c).)**

The Mississippi Department of Employment Security employs sufficient staff and adequate resources to ensure compliance with the nondiscrimination and equal opportunity provisions of Section 188 of the WIA and with 29 CFR 37.26(c). Staff that is available to assist the State WIA EO Officer in completing his/her duties under this element include, but are not limited to an Assistant Equal Opportunity Officer (Project Officer IV, Special), an Equal Opportunity Compliance Officer (Project Officer IV, Special) and four Local WIA Officers. (See DS 15 for [Biography for Assistant EO Officer](#); see DS 16 for [Biography for Compliance Officer](#); see DS 2-5 for [LWIA biographies](#)). The Assistant Equal Opportunity Officer assists the State WIA Equal Opportunity Officer in the execution of his/her duties and serves as the point of contact when the Equal Opportunity Officer is not available. The Equal Opportunity Compliance Officer focuses primarily on the compliance and diversity issues associated with the Mississippi Department of Employment Security customers, both internal and external. The LWIA Equal Opportunity Officers make annual visits to all of Mississippi's Local Workforce Investment Areas and their respective monitoring tools include items related to the equal opportunity and nondiscrimination requirements of the Workforce Investment Act and 29 CFR 37. The State WIA EO Officer also

meets and corresponds regularly with LWIA EO Officers for training, discussions, etc., related to equal opportunity issues.

All LWIA EO Officers state that they have at their disposal adequate staff and resources to ensure compliance with the nondiscrimination and equal opportunity provisions of the Workforce Investment Act. (See DS 8-11 [Organizational charts for the four Mississippi workforce areas](#))

**The State's plan for ensuring that State and local level EO Officers and their staff are sufficiently trained to maintain competency. (See 29 CFR 37.26(d).)**

The State WIA EO Officer attends annual CRC training, as well as periodic MDES EO classes and training conferences to maintain competency. ( See DS 1, 15 and 16 for [Biography for Dr. Dovie Reed](#), [Dr. Randy Langley](#) and [Stefanie Brown](#), Training and Experience sections.)

The State WIA EO Officer communicates regularly via telephone and email with LWIA EO Officers regarding equal opportunity and nondiscrimination issues, policies, training opportunities and other relevant matters.

**The identity, by name, title and organization, of the individual to whom each State and local level EO Officer reports on equal opportunity matters.**

The local level EO Officers report to appropriate level staff (see the following page): (See [DS 6-7](#) for organizational charts showing the relationship of the EO staff to the Executive Director, and the LWIA Staff's relationship to the EOD.

## Element Two: Notice and Communication (29 CFR 37.54(d)(1)(iii))

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As prescribed under Title 29 Part 37.54 (d)(1)(iii) MDES ensures awareness and understanding of its nondiscrimination/equal opportunity policy and procedures by providing notice in conspicuous locations frequented by:

- A. Registrants, applicants and eligible applicants/registrants;
- B. Applicants for employment;
- C. Employees;
- D. The public, including those with impaired vision or hearing;
- E. Unions or professional organizations that hold collective bargaining or professional agreements with the recipient; and
- F. Sub-recipients that receive WIA Title I funds from the recipient.

The goal is specifically accomplished by placing general notices of nondiscrimination and equal opportunity on the bulletin boards of the waiting areas for customers in each WIN Job Center. The placements in those locations ensure that users of our workforce system are made aware of the right to file complaints, if they feel they have been discriminated against. Additionally, notices are placed on the bulletin boards located in the staff break area to ensure their familiarity with the policy.

A notice of nondiscrimination and the agency's commitment to providing equitable service to individuals with disabilities are permanently attached to the locations in which customers complete applications for work, unemployment compensation benefits, and in the resource areas.

As prescribed under Part 37.30 MDES has developed and distributed an "Equal Opportunity is the Law" poster. These posters are displayed in all WIN Job Centers and in State Office buildings. This poster is available in English, Spanish and Vietnamese. Specifically, Vietnamese is readily available in coastal offices which serve significant Vietnamese populations. (See DS 12-14 See "Equal Opportunity Is the Law" in [English](#), [Spanish](#) and [Vietnamese](#), respectively)

Many agency publications, labor market information, media publications, recruitment brochures and electronic communications have the appropriate tagline, "Equal Opportunity Is the Law" and the TDD/TTY phone number included, as well as all auxiliary aids for individuals with disabilities. (See DS 17 Flyer: ["See What Your WIN Job Center ...has for Job Seekers" w/ tagline](#); DS 18 ["WIN Job Center Service Guide" w/ tagline](#))

The Equal Opportunity (EO) Department has developed and distributed electronically an Equal Opportunity Handbook to MDES staff and partners. (See DS 19, MDES Equal Opportunity Handbook [cover page](#) and [Table of Contents](#)) All staff members are advised to maintain personal access to that document for reference in their work areas at all times. The Handbook contains an overview of all federal nondiscrimination laws, regulations and their applicability to the services offered by MDES. It also advises staff of the legal obligation to provide services to beneficiaries in a nondiscriminatory manner. The Handbook is provided to ensure that staff is aware, trained and knowledgeable of their rights and responsibilities. Customer Service Specialists and management staff receive periodic training in equal opportunity laws where necessary. ([DS 20 Training Schedule 2012](#).)

The EO Department provides training to all Customer Service Representatives on nondiscrimination and equal opportunity laws as described in the Workforce Investment Act (WIA), implementing regulations and this Methods of Administration (MOA). The purpose of that training is to familiarize Customer Service Representatives, managers, Customer Service Specialists and other pertinent staff with the options available to persons who wish to file complaints. These staff members should provide potential complainants with the necessary complaint information

*The Equal Opportunity Department develops and maintains the procedure to use if a person feels that he/she has been sexually harassed. The EOD has also developed a sexual harassment policy, specifying the employee's and the agency's responsibility in each complaint situation. (See DS 21 "[Sexual Harassment Policy](#)" --see tagline)*

Any recruitment brochures and other media messages distributed to the public or staff which describes WIA services, Employment Services, Unemployment Insurance services or information on participation in any of these services has the following abbreviated notice, or "tagline": "MDES is an equal opportunity employer and auxiliary aids and services are available to people with disabilities." (See DS 17-18—[Flyer with Tagline](#), [Service Guide with Tagline](#))

## Element Three: Review Assurances, Job Training Plans, Contracts, Policies and Procedures CFR Title 29 Part 37.20 through 37.22

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### **Purpose**

The State ensures that nondiscrimination and equal opportunity provisions of WIA are incorporated in all grants, agreements or other similar applications for Federal financial assistance under WIA. Each application for WIA funds includes the specified assurance committing the potential sub-recipient to comply fully with the nondiscrimination and equal opportunity provisions of the Act. The assurance is deemed incorporated, whether or not it is physically incorporated in the resulting contract or other arrangement.

### **Narrative**

As prescribed under CFR TITLE 29 Part 37.20 (A)(1) EACH APPLICATION FOR FINANCIAL ASSISTANCE UNDER Title I of WIA must include an assurance that “as a condition to the award of financial assistance” from the Department of Labor the grant applicant assures the grantor that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

- Section 188 of the Workforce Investment Act of 1998, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I financially assisted program or activity;
- Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, and national origin;
- Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
- The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and
- Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs. The grant recipient also assures that it will comply with 29 CFR Part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant recipient’s operation of the WIA Title I financially assisted program or activity, and to all agreements the grant recipient makes to carry out the WIA Title I financially assisted program or activity.

The grant applicant also assures that it will comply with 29 CFR part 37 and all other regulations implementing the laws listed above. The grantee understands that the United States has the right to seek judicial enforcement of this assurance.

The assurance is considered incorporated by operation of law in the grant, cooperative agreement, contract or other arrangement whereby federal financial assistance under Title I of the WIA is made available, whether or not it is physically incorporated in such a document and whether or not there is a written agreement between the Department and the recipient, between the Governor and the recipient or between recipients. (See DS—22, [Excerpt from MDES contract from General Counsel with the Office of Legal Affairs](#); see representative youth services proposal in Twin Districts Workforce Area [http://smpdd.com/assets/news/TDWA/SMPDD\\_2010\\_RFP\\_for\\_SYEP.pdf](http://smpdd.com/assets/news/TDWA/SMPDD_2010_RFP_for_SYEP.pdf) , pg. 27)

As prescribed under 29 CFR part 37.20 (b) the recipient's Strategic Five-Year Plan must provide a statement that the WIA Title I – financially assisted program or activity is conducted in compliance with the nondiscrimination and equal opportunity provisions of WIA and this part, as a condition to the approval of the Five-Year Plan and the extension of any WIA Title I assistance under the Plan.

See <http://mdes.ms.gov/Home/docs/Mississippi%20State%20Plan%202012%20-%202017%20w%20attachments.pdf> for the Mississippi 5-year Strategic Workforce Investment/WIA Plan in general, pages 49-50 in particular.

The State also must certify that it has developed and maintains a Method of Administration under Part 37.54. The MDES Plan has the assurance stated above in reference to nondiscrimination and equal opportunity provisions of WIA and maintains a Methods of Administration.

MDES understands its obligation to maintain this assurance for the period during which WIA Title I financial assistance is extended. MDES understands that the covenants of this part must be used to the extent that WIA Title I financial assistance is provided in the form of a transfer of real property or structures, improvements of real property or structures or interest in real property or structures, the instrument effecting or recording the transfer must contain a covenant assuring nondiscrimination and equal opportunity for the period described in 37.21.

## Element Four: Universal Access 29 CFR Part 37 Subparts 37.42 and 37.54

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### Purpose

Element Four addresses how the State of Mississippi and its recipients are complying with the requirements of 29 CFR 37.42 relating to the provision of universal access to programs and activities.

### Narrative

As prescribed under 29 CFR 37.42 the Mississippi Department of Employment Security (MDES) has developed a system to assure that the composition of the pool of those considered for participation in the Workforce Investment Act (WIA) programs is broadened. The effort is therefore directed to questions of gender, racial and ethnic issues and individuals with disabilities.

Each WIN Job Center is asked to maintain a Directory of Elected Officials, Business Leaders of the Minority Community and Faith-Based and Community Organizations. (See [DS 23, Excerpt from the Directory of Elected...Community Organizations](#).) Managers are encouraged to maintain personal contact with those individuals in the directory. They have been directed to communicate personalized letters periodically, to inform them of employment services provided by their respective WIN Job Centers and changes in unemployment compensation laws and regulations. The letters also invite those individuals to contact management in the programs and /or services. Further, business leaders are requested to refer customers who desire employment assistance and services to WIN Job Centers. (See Directory of State Senators: [http://billstatus.ls.state.ms.us/members/ss\\_membs.xml](http://billstatus.ls.state.ms.us/members/ss_membs.xml) , State Representatives: [http://billstatus.ls.state.ms.us/members/hr\\_membs.xml](http://billstatus.ls.state.ms.us/members/hr_membs.xml) , [Business Leaders of the Minority Community](#), also <http://secure.mississippi.org/CertifiedMinorityBusinessReports/> and Faith-Based and Community Organizations: <http://macaa.accountsupport.com/member-agencies/> .)

Periodically selected WIN Job Centers, State Office staff and the Equal Opportunity Department participate in college/school career days, job fairs and on-site plant seminars statewide in order to disseminate information on career opportunities for the general community, and specifically for minorities, women and the disabled. (See DS 24 -- Example of Local WIN [participation in area Job Fair](#) and Career Day activities: <http://southdeltapdd.com/DWIA%20Home.html>)

All materials (printed or electronic, written or oral form) for programs funded under WIA will be provided in relevant formats wherever there is a substantial population. Alternative formats may be provided for individuals who have limited English proficiency. (See DS – 25, [LEP Policy](#) and Procedures; DS 26, [Optimal phone interpreters](#) for Foreign Languages; Sign Language List of Interpreters, see <http://www.odhh.org/interpreter-registration/> and click on “regular registration.”.)

In response to an increase in the number of LEP Hispanic customers seeking our services, MDES has introduced both Spanish-speaking Interviewers at the UI call centers, and has developed a UI script for non-Spanish-speaking Interviewers to expedite UI intake calls. (See [DS 27 Spanish LITE proposal](#) and annual ROI)

Additionally, in July of 2012 MDES signed a Memorandum of Understanding with the Mississippi Department of Human Services which initiated a program of creating access points in every DHS location, thereby increasing access to employment services for customers who might otherwise have limited access due to disabilities, mobility or related transportation issues. (See the DHS TANF link to MDES at [http://www.mdhs.state.ms.us/ea\\_tanf.html](http://www.mdhs.state.ms.us/ea_tanf.html) .

In an effort to increase services to disabled veterans the Equal Opportunity staff has communicated specifically with each local WIN Job Center manager and encouraged them to make veterans' services a priority, particularly to disabled veterans. Utilizing the federal programs such as VOW and VRAP the local WIN Job Centers make a practice of giving priority to veterans both in service delivery and in consideration for job referrals. (See the Veterans' page at the MDES site map for services: <http://www.mdes.ms.gov/Home/JobSeekerServices/AllVeteranServices.html> .

MDES includes the tagline that we are an equal opportunity employer with the TDD number on communications, such as brochures, pamphlets and online searches. The agency continues to provide training to ensure staff is knowledgeable about the agency's commitment to providing meaningful access to services. (See DS 17-18 for examples of [taglines](#) on [publications](#).)



# Element Five Compliance with Section 504 of the Rehabilitation Act of 1973 as Amended and 29 CFR Part 37 (29 CFR 37.54(d)(2)(v))

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## Purpose

The State addresses how it and its recipients comply with the disability related requirements of WIA Section 188; Section 504 of the Rehabilitation Act of 1973, as amended; and their implementing regulations, including but not limited to 29 CFR 37.7, 37.8, and 37.9 and Subparts B and C of 29 CFR Part 32.

## Narrative

### REASONABLE ACCOMMODATION AND MODIFICATION POLICIES

The agency makes a concerted effort to assure access to programs as required under section 32.27 as addressed in the Mississippi Department of Employment Security Nondiscrimination and Equal Opportunity Policy Statements. (See DS 28, MDES [Nondiscrimination and Equal Opportunity Policy Statements](#)) Programmatic accessibility for persons with disabilities is assured by providing non-personal aids to mobility impaired persons. The workforce development system partners and sub-recipients operate each program or activity, when viewed in its entirety, in a manner readily accessible to qualified disabled individuals. If a particular program is available in only one location, that site is made accessible or the program is made available at an alternate accessible site or sites. (See DS 29 for MDES Disability Policy and this link to LWIA disability taglines: Delta Workforce Area Disability Coordinator Program/Navigator Program <http://southdeltapdd.com/Disability%20Navigator.html> ; <http://www.wininmississippi.org/> . The agency has a continued partnership with the Mississippi Department of Rehabilitation Services which

- A. provides certifiable professional services and aids in order to assure that communication with persons with disabilities is effective;
- B. performs accessibility surveys to assure that structural and architectural barriers are identified; and
- C. provides assistance with adaptive technology which allows equal access to information, services, activities and programs within the Mississippi Workforce Investment Network.

The sample ADA Compliance Report in the Documentation Section is an actual report for a local One-Stop center. The assessment was conducted by the Mississippi Department of Rehabilitation Services at the request of the Mississippi Department of Employment Security's Equal Opportunity Department. Through such a partnership this compliance assessment tool is used to provide reasonable assurance that individuals with disabilities have programmatic accessibility. (See DS 30-31 for [ADA report](#), and also of the [Memorandum of Understanding \(MOU\) between MDES and MDRS.](#))

## SCHEDULE TO EVALUATE JOB QUALIFICATION

The Mississippi Department of Employment Security Equal Opportunity Department will conduct periodic evaluations on job qualifications to ensure that the qualifications do not discriminate on the basis of disability. The monitoring period will begin January 1 each year. (See DS 34, [2012 monitoring schedule](#) and completions.)

## LIMITATION ON PRE-EMPLOYMENT/EMPLOYMENT MEDICAL INQUIRIES

It is the employment policy and practice of the Mississippi Department of Employment Security Workforce Development System Partners and Sub-recipients to prohibit discrimination on the basis of disability. (See DS 29, [MDES Disability Policy Statement](#))

## Element Six: Data Information Collection and Maintenance (29 CFR 37.54(d)(1)(iv) and (vi))

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### Purpose

The State addresses how it and its recipients are complying and will continue to comply with the requirements of 29 CFR 37.37 through 37.41 related to data and information collection and maintenance. The State ensures that a data and information collection and maintenance system for its WIA Title I financially assisted State programs is established and maintained. (See 29 CFR 37.53.)

### Narrative

As prescribed under 29 CFR Part 3737 through 37.41 the Mississippi Department of Employment Security collects data and maintains records in accordance with procedures prescribed by the Director. In addition, data is collected and records are maintained in such a manner as to allow sorting, analyzing and reporting, as needed, to determine whether MDES is in compliance with the nondiscrimination and equal opportunity provisions of the Workforce Investment Act (WIA) and 29 CFR Part 37. The system and format of data collection and record maintenance are designed to allow the Governor and the CRC to conduct statistical or other quantifiable data analyses to verify compliance with Section 188 of WIA and 29 CFR Part 37.

MDES data collection and record maintenance includes, but is not limited to, records on applicants, registrants, eligible applicants/registrants, participants, terminees, employees, and applicants for employment.

The MDES database system is Workforce Investment Network Global System (WINGS), which collects basic demographic data online during initial intake. Such information is used only for recordkeeping and reporting, and is stored in a manner that ensures confidentiality, and that is used only for the purposes of recordkeeping. The information is used to determine the extent to which the recipient is operating its WIA Title I-financially assisted program or activity in a nondiscriminatory manner, or is used for any other purpose authorized by law. (See DS 32, [WINGS Intake](#))

MDES maintains a log of complaints that allege discrimination on the ground(s) of race, color, religion, sex, national origin, age disability, political affiliation or belief, citizenship and/or participation in a WIA Title I-financially assisted program or activity. The log includes:

- the name and address of the complainant;
- the ground of the complaint;
- a description of the complaint;
- the date the complaint was filed;
- the disposition and the date of the disposition of the complaint;
- and other pertinent information.

Information that could lead to identification of a particular individual as having filed a complaint is kept confidential. (See MDES Discrimination Complaint Log (blank form) found at the MDES website by clicking on the “Equal Opportunity IS the Law” text:

<http://mdes.ms.gov/Home/docs/MDESComplaintInformationForm.pdf>. Also see DS 33, [Internal Audit and Security Handbook](#) and Disclosure of Confidential Information Policy and Policy on Physical Security of Information for Non-MDES Employees.

MDES utilizes the Office of Management and Budget guidelines when designating individuals by race or ethnicity. The revised standards state that there are five minimum categories of data for race: American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, and White. There will be two categories of data on ethnicity: “Hispanic or Latino” and “Not Hispanic or Latino.” (See DS 32 for the data element for race/ethnicity on the Intake/Registration/Application forms from [WINGS](#) and [ACCESS](#).)

MDES requires all sub-recipients, contractors and other service providers (such as eligible training providers) to collect and maintain the information required as provided in the States Method of Administration. The WINGS data fields are applied uniformly throughout the MDES workforce system. Local Area Plans and other agreements with sub-recipients, contractors and other service providers generally contain the same data collection and reporting requirements as listed in the State Plan.

As prescribed under 29 CFR 37.38 MDES is aware of its responsibilities and obligations to have a system in place to provide additional information to the CRC including the following required information:

- A. Notification of any administrative enforcement actions or lawsuits.
- B. Results of any noncompliance reviews or monitoring activity.
- C. Information and data necessary to investigate complaints and conduct compliance reviews.
- D. Preparation and timely submission of periodic specialized and particularized reports requested by CRC,
- E. Submission of race and ethnicity data.

MDES will promptly notify the Director when any administrative enforcement actions or lawsuits are filed against it alleging discrimination on the ground of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in a WIA Title-I-financially assisted program or activity. This notification will be in the form of a letter under the signature of the Executive Director of MDES. The letter of notification will include:

- A. The names of the parties to the action or lawsuit;
- B. The forum in which each case was filed; and
- C. The relevant case numbers.

MDES, sub-recipients, contractors and other service providers (such as eligible training providers) are required to maintain the following:

- A. Complaint logs to document all complaints filed and the disposition of each complaint. (See [DS 38, MDES Complaint Procedures](#))
- B. Monitoring Reviews are performed to determine compliance with section 188 and 29 CFR Part 37. Reports following each review will be kept, along with the acknowledgement form signed by the manager. (See DS 34, [Sample Monitoring Report](#))
- C. Records are maintained as specified under section 188 and 29 CFR Part 37 and are available to provide information and data necessary to investigate complaints and conduct compliance reviews, and additionally, to prepare and submit reports requested by CRC and data related to race and ethnicity. Beginning fiscal year 2012-2013 all EO Onsite or Desk Reviews will be conducted with digital reporting only, and all documents will be stored electronically, available to EO staff and accessible only by password. (See DS 35, [MDES Retention Policy](#) )

As prescribed under Part 37.39 MDES will maintain the following records for a period of not less than three years from the close of the application program year: The records of applicants, registrants, eligible applicants/registrants, participants, trainees, employees and other applicants for employment; and such records as are required under 29 CFR Part 37 or by the CRC Director. Records regarding complaints and actions taken on the complaints are maintained for a period of not less than three years from the date of resolution of the complaint.

The Department of Archives and History is the official records management agency for the State of Mississippi. General guidance on the record retention requirements are established by this agency as provided in Sections 25-59-1 through 25-59-31 of the Mississippi Code Annotated (1972). At a minimum MDES, sub-recipients, contractors and other service providers (such as eligible training providers) comply with this policy.

As prescribed under 29 CFR Part 37.40 MDES will permit access by the Director during normal business hours to its premises and to its employees and participants, for the purpose of conducting complaint investigations, compliance reviews, monitoring activities associated with the State's development and implementation of its Methods of Administration, and, inspecting and copying books, records, accounts and other materials as may be necessary to determine compliance with and ensure enforcement of the nondiscrimination and equal opportunity provisions of WIA or 29 CFR Part 37.

MDES understands that assertions of privacy or confidentiality are not a basis for withholding information from CRC and will not bar CRC from evaluating or seeking to enforce compliance with the nondiscrimination and equal opportunity provisions of WIA and 29 CFR Part 37.

MDES will make every effort to provide all information that the Director requests which may be in the exclusive possession of another agency, institution or person. If the agency, institution or person fails or refuses to furnish the requested information, MDES will certify to CRC that it has made efforts to obtain the information and that the agency, institution or person has failed or refused to provide the requested information. This certification will list the name and address of the agency, institution or person that has possession of the information and the specific efforts MDES has made to obtain the requested information.

As prescribed under 37.41 it is the policy and practice of MDES that the identity of any individual who furnishes information relating to or assisting in an investigation or a compliance review, including the identity of any individual who files a complaint, be kept confidential to the extent possible, consistent with a fair determination of the issues. An individual whose identity must be disclosed is to be protected from retaliation, per CFR 37.11. (See DS 33, [Internal Audit Security Handbook](#) Page 6: Disclosure of Confidential Information Policy and Policy on Physical Security of Information for Non-MDES Employees, and Element 5 in the Mississippi Equal Opportunity Department Handbook.)

## Element Seven: Monitoring Recipients for Compliance (29 CFR 37.54(d)(2)(ii))

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### Purpose

The State addresses how it and its recipients are complying with the requirements of 29 CFR 37.54(d)(1)(iii). The State of Mississippi has established procedures to monitor periodically all aspects of the recipients' compliance with Workforce Investment Act (WIA) Section 188 and 29 CFR Part 37. Each equal opportunity monitoring review includes a review of compliance with responsibilities it has been assigned through the State of Mississippi's MOA; and a review of each recipient's programs and activities to determine whether discrimination is occurring.

### Narrative

As prescribed under c9 CFR 37.54(d)(2)(ii) MDES has established a system for periodically monitoring the compliance with WIA section 188 and its implementing regulations, including a determination as to whether each recipient is conducting its WIA Title I-financially assisted program or activity in a non-discriminatory way.

At the State and local level the following elements are evaluated to determine compliance with the administrative obligations of 29 CFR 37:

- A. Assurances—Sections 37.20 through 37.22
- B. Equal Opportunity—Sections 37.23 through 37.28
- C. Notice and Communication—Sections 37.29 through 37.36
- D. Data and Information Collection and Maintenance—Sections 37.37 through 37.41
- E. Universal Access—Section 37.42,
- F. Compliance with Section 504 of the Rehabilitation Act of 1973—Section 37.54, and
- G. Complaint Processing Procedures—Sections 37.76 through 37.79.

MDES has established a system for periodically monitoring the compliance of recipients with WIA Section 188 and its implementing regulations. Every twelve to eighteen months the EO staff performs a full onsite review of each WIN Job Center. In alternate years a more limited review and follow-up is done. Contracts through the MDES Grant Management Division are monitored on a regular basis. (See DS 36 and 34 respectively, [Pre-Monitoring Assessment Tool](#); [Monitoring Report](#).)

The MDES EO Department uses its onsite monitoring as an opportunity to review architectural and programmatic compliance under WIA Section 188 and its implementing regulations. In addition, the EO Department staff trains the WIN Job Center staff and partner staff on the most pressing issues such as sexual harassment, disability awareness or limited English proficiency. During each training cycle a refresher training module is presented, either in person or online, and staff members are directed to the Insider for additional information pertaining to equal opportunity and nondiscrimination training.

## Element Eight: Complaint Processing Procedures (29 CFR 37.54(d)(1)(v))

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### Purpose

As prescribed under 29 CFR 37.70 through 37.79 MDES has procedures to allow any person who believes that either he or she, or any specific, protected class of individuals, has been or is being subjected to discrimination prohibited by the nondiscrimination and equal opportunity provisions of the Workforce Investment Act (WIA) and 29 CFR Part 37, may file a written complaint, either individually or through a representative.

### Narrative

The complainant may file with either the Local Workforce Investment Area partner or the Mississippi Department of Employment Security as applicable, or with the United States Department of Labor Civil Rights Center (USDOL CRC). Filing a complaint with the Local Area or MDES does not affect a complainant's right to file a complaint with the CRC if he/she is not satisfied with the resolution provided by the Local Area or MDES. Under CFR 37.75 both the complainant and the respondent have the right to be represented by an attorney or other individual of their choice. (See DS Nondiscrimination and Equal Opportunity Policy and MDES website link to MDES complaint form <http://mdes.ms.gov/Home/EqualOpportunityisTheLaw.html> .)

Complaints must be filed within 180 days from the date of the alleged discrimination. If the complainant makes a request and good cause is shown an extension may be granted. Only the Director of the CRC may grant an extension.

As prescribed under CFR 37.73 complaints must be filed in writing and shall contain the complainant's name, address, telephone number or other means of contacting the complainant. In addition, the following information should be included:

- A. The identity of the respondent (the individual or entity that the complainant alleges is responsible for the discrimination)
- B. A description of the complainant's allegations. This description must include enough detail to allow the CRC or the Local Area or MDES to decide whether;
  - a. Local Area, MDES (or partners in the workforce system), or the CRC, as applicable, has jurisdiction over the complaint;
  - b. The complaint was filed in a timely manner;
  - c. The complaint has merit; in other words, whether the complainant's allegations, if true, would violate any of the nondiscrimination and equal opportunity provisions of federal statutes and regulations. Completing and submitting either the MDES or the CRC Discrimination Complaint Form may provide the information required.
- C. The complainant's signature or the signature of the complainant's authorized representative.



As prescribed under 29 CFR 37.74 individuals may file a complaint with the local level (complaints should originate at the local level) by completing and submitting the MDES Discrimination Complaint Form, which can be obtained at any WIN Job Center or the MDES State Office. In addition a complaint may be filed with the DOL, CRC using the Complaint Information and Privacy Act Consent Form. This form can be obtained from the State EO Officer or from the CRC. In addition, forms may be obtained from the website [www.mdes.ms.gov](http://www.mdes.ms.gov) or <http://insider/Home.do> (These forms are available to MDES staff. Go to <http://mdes.ms.gov/Home/EqualOpportunityisTheLaw.html> to view both forms).

As prescribed under 29 CFR 37.76 MDES has incorporated the required elements of a recipient's discrimination complaint processing procedures into its Nondiscrimination and Equal Opportunity and Complaint Procedures. The form meets all the applicable criteria listed in 29 CFR 37.76, including a list of essential information; description of the issues, including an acknowledgement by the complainant of acceptance that the issue will be investigated; a period for fact-finding and investigation as prescribed under CFR 37.76; a period of resolution which can include alternative dispute resolution; a written notice of final action provided to the complainant within 90 days of the date on which the complaint was filed. The procedures provide for Alternative Dispute Resolution (ADR), whereby the complainant agrees to the dispute resolution process.

As prescribed under 29 CFR 37.77 MDES is aware of its responsibility for developing and publishing complaint processing procedures on behalf of its service providers and requiring the service providers to follow those procedures. (See <http://mdes.ms.gov/Home/EqualOpportunityisTheLaw.html> )

As prescribed under 29 CFR 37.78 if MDES determines that it does not have jurisdiction over a complaint, it notifies the complainant in writing immediately. This Notice of Lack of Jurisdiction includes:

- A. A statement of the reasons for that determination, and
- B. Notice that the complainant has a right to file a complaint with CRC within 30 days of the date on which the complainant receives the Notice.

As prescribed under 29 CFR 37.79 MDES makes every effort to issue a Notice of Final Action before the 90-day period has expired. In addition, the complainant is informed of his/her rights to file the complaint, if dissatisfied with MDES EO's processing of the complaint, with the CRC within 30 days after the date on which the complainant receives the Notice.

## Element Nine: Corrective Actions/Sanctions (29 CFR 37.54(d)(2)(viii)) 37.95 through 37.98, and 37.110

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### Purpose

The State addresses how it and its recipients are complying with the requirements of 29 CFR 37.54(d)(2)(vii) in developing procedures for obtaining prompt corrective action when instances of noncompliance with WIA Section 188 or 29 CFR Part 37 are found or, as necessary, applying sanctions.

### Narrative

As prescribed under Workforce Investment Act (WIA) section 188; and implementing regulations 29 Code of Federal Regulation (CFR) 37.54(d)(2)(C)(vii) 37.95 through 37.98, and 37.110, The Mississippi Department of Employment Security (MDES) addresses how it and its sub-recipients, contractors, and other service providers (such as eligible training providers) are complying and will continue to comply with corrective actions and sanctions requirements for federal-financially assisted services, programs and activities.

As prescribed under §37.54(d)(2)(C)(vii), MDES is aware of its responsibility to implement an assessment to determine whether it and its sub-recipients, contractors, and other service providers (such as eligible training providers) have fulfilled the administrative obligations under section 188 or 29 CFR part 37 for example: recordkeeping, notice and communication and any duties assigned to it under the Methods of Administration (MOA). In addition, MDES has procedures for obtaining prompt corrective action or, as necessary, applying sanctions when noncompliance is found to WIA section 188 and implementing regulations 29 CFR part 37. (See DS 39, [MDES Executive Bulletin and Non-Compliance, Corrective Action, and Sanction Guidelines](#)).

As prescribed under §37.95, MDES has procedures in place that apply to its sub-recipients, contractors, and other service providers (such as eligible training providers) upon finding violations of the nondiscrimination and equal opportunity provisions of WIA or 29 CFR part 37. If a violation of the nondiscrimination and equal opportunity provisions of WIA or 29 CFR part 37 has occurred, MDES notifies the authorized signatory and the violating sub-recipients, contractors, and other service providers (such as eligible training providers) through the issuance of a Letter of Findings, Notice to Show Cause or Initial Determination, as appropriate (see 29 CFR subparts 37.62 or 37.63, 37.66 and 37.67, or 37.91, respectively).

Under §37.62, MDES has the authority and procedures for conducting pre-approval compliance reviews. Upon finding violations a Letter of Findings will be issued. The Letter of Findings will advise the prospective sub-recipients, contractors, and other service providers (such as eligible training providers), in writing, of:

- A. The preliminary findings of the review;
- B. The proposed remedial or corrective action under Section 37.94 and the time within which the remedial or corrective action should be completed. Such action includes the following:
  - 1. The specific steps the grant applicant or recipient, as applicable, must take within a stated period of time in order to achieve voluntary compliance.
  - 2. Such steps must include:
    - i. Actions to end and/or redress the violation of the nondiscrimination and equal opportunity provisions of WIA or this part;
    - ii. Make whole relief where discrimination has been identified, including, as appropriate, back pay (which must not accrue from a date more than 2 years before the filing of the complaint or the initiation of a compliance review) or other monetary relief; hire or reinstatement; retroactive seniority; promotion; benefits or other services discriminatorily denied; and
    - iii. Such other remedial or affirmative relief as the Director deems necessary, including but not limited to outreach, recruitment and training designed to ensure equal opportunity.
  - 3. Monetary relief may not be paid from Federal funds.
- C. Whether it will be necessary for the grant applicant to enter into a written Conciliation Agreement as described in §37.95 and §37.97:
  - i. If a violation has occurred, include a determination as to whether compliance must be achieved by:
    - a. Immediate correction of the violation(s) and written assurance that such violations have been corrected, under §37.96;
    - b. Entering into a written Conciliation Agreement under §37.97; or
    - c. Both.

- D. The opportunity to engage in voluntary compliance negotiations. As prescribed under §37.96 a written assurance from sub-recipients, contractors, and other service providers (such as eligible training providers) must provide documentation that the violations listed in the Letter of Findings, Notice to Show Cause or Initial Determination, as applicable, have been corrected.

As prescribed under §37.97, if a Conciliation Agreement is deemed necessary, the Conciliation Agreement will be in writing. In addition, the Conciliation Agreement will include the following elements:

- A. Address each cited violation;
- B. Specify the corrective or remedial action to be taken within a stated period of time to come into compliance;
- C. Provide for periodic reporting on the status of the corrective and remedial action;
- D. Provide that the violation(s) will not recur; and
- E. Provide for enforcement for a breach of the agreement.

Under §37.63, MDES is aware of its responsibility to conduct post-approval compliance reviews of its sub-recipients, contractors, and other service providers (such as eligible training providers) to determine compliance with the nondiscrimination and equal opportunity provisions of WIA and 29 CFR part 37. The initiation of a post-approval review may be based on, but need not be limited to, the results of routine program monitoring by MDES, WIN Job Center partners, or the nature or frequency of complaints.

The sub-recipients, contractors, and other service providers (such as eligible training providers) are notified of a post-approval review through a Notification Letter, advising them of the following:

- A. The practices to be reviewed;
- B. The programs to be reviewed;
- C. The information, records, and/or data to be submitted by the recipient within 30 days of the receipt of the Notification Letter, unless this time frame is modified by the Director; and
- D. The opportunity, at any time before receipt of the Final Determination to make a documentary or other submission that explains, validates or otherwise addresses the practices under review.

MDES may conduct post-approval reviews using such techniques as desk audits and on-site reviews.

Under §37.66, MDES has procedures for its sub-recipients, contractors, and other service providers (such as eligible training providers) who fail to submit requested data, records, and/or information, or fail to provide the required access to data, records, and/or information. MDES may issue a Notice to Show Cause to sub-recipients, contractors, and other service providers (such as eligible training providers) failing to comply with the requirements of accessibility, where such failure results in the inability of MDES to make a finding. The failure may include, but is not limited to, the recipient's failure or refusal to:

- A. Submit requested information, records, and/or data within 30 days of receiving a Notification Letter;
- B. Submit, in a timely manner, information, records, and/or data requested during a compliance review, complaint investigation, or other action to determine a recipient's compliance with the nondiscrimination and equal opportunity provisions of WIA or this part; or
- C. Provide MDES access in a timely manner to premises, records, or employees during a compliance review.

As required under §37.67 the MDES Notice to Show Cause contains the following elements:

- A. A description of the violation and a citation to the pertinent nondiscrimination or equal opportunity provision(s) of WIA and this part;
- B. The corrective action necessary to achieve compliance or, as may be appropriate, the concepts and principles of acceptable corrective or remedial action and the results anticipated; and
- C. A request for a written response to the findings, including commitments to corrective action or the presentation of opposing facts and evidence.

A Notice to Show Cause gives the sub-recipients, contractors, and other service providers (such as eligible training providers) 30 days to show cause why enforcement proceedings under the nondiscrimination and equal opportunity provisions of WIA or 29 CFR part 37 should not be instituted.

Under §37.91, MDES issues a notice if it finds reasonable cause to believe that a violation has taken place by its sub-recipients, contractors, and other service providers (such as eligible training providers). If MDES finds reasonable cause to believe that there has been a violation of the nondiscrimination and equal opportunity provisions of WIA or 29 CFR part 37, an Initial Determination is issued to the violator. The Initial Determination includes:

- A. The specific findings of the investigation;
- B. The corrective or remedial action that MDES proposes to the respondent.
- C. The time by which the respondent must complete the corrective or remedial action;
- D. Whether it will be necessary for the respondent to enter into a written agreement; and
- E. The opportunity to engage in voluntary compliance negotiations.

As prescribed under §37.98 MDES may conclude that compliance cannot be secured by voluntary means if the sub-recipients, contractors, and other service providers (such as eligible training providers) fail or refuse to correct the violation(s) within the time period established by the Letter of Findings, Notice to Show Cause or Initial Determination. In addition, failure or refusal may be concluded if MDES does not approve an extension of time for agreement on voluntary compliance, and MDES either:

- A. Has not been notified that the sub-recipients, contractors, and other service providers (such as eligible training providers) has agreed to voluntary compliance;
- B. Has disapproved a written assurance or Conciliation Agreement; or
- C. Has received notice from the authorized signatory and the violating sub-recipients, contractors, and other service providers (such as eligible training providers) that it will not comply voluntarily.

As prescribed under §37.110, MDES has established procedures to effect compliance with the nondiscrimination and equal opportunity provisions of WIA and 29 CFR part 37. If MDES concludes that compliance cannot be secured by voluntary means, as required under §37.99 one of the following actions is taken:

- A. Issue a Final Determination;
- B. Refer the matter to the MDES Staff Attorney with a recommendation that an appropriate civil action be instituted; or
- C. Take such other action as may be provided by law (such as refer to CRC).

In addition, as required under §37.100 the Final Determination will contain the following information:

- A. A statement of the efforts made to achieve voluntary compliance, and a statement that those efforts have been unsuccessful;
- B. A statement of those matters upon which the parties continue to disagree;
- C. A list of any modifications to the findings of fact or conclusions that were set forth in the Initial Determination, Notice to Show Cause or Letter of Findings;
- D. A statement of the sub-recipients, contractors, and other service providers' (such as eligible training providers) liability, and, if appropriate, the extent of that liability;
- E. A description of the corrective or remedial actions that the grant applicant or recipient must take to come into compliance;
- F. A notice that if the grant applicant or recipient fails to come into compliance within 10 days of the date on which it receives the Final Determination, one or more of the following consequences may result:
  - 1. After the sub-recipients, contractors, and other service providers' (such as eligible training providers) are given the opportunity for a hearing, its WIA Title I funds may be terminated, discontinued, or withheld in whole or in part, or its application for such funds may be denied, as appropriate;
  - 2. MDES may refer the case to the MDES Staff Attorney with a request to file suit against the sub-recipients, contractors, and other service providers' (such as eligible training providers); or
  - 3. MDES may take any other action against the sub-recipients, contractors, and other service providers' (such as eligible training providers) that is provided by law (such as referral to CRC);
- G. A notice of the grant applicant's or recipient's right to request a hearing under the procedures described in §§37.112 through 37.115; and
- H. A determination of MDES, entity's authorized signatory and the violating sub-recipients, contractors, and other service providers (such as eligible training providers) liability (if any).

As required under §37.102 through §37.105, if MDES concludes that compliance cannot be secured by voluntary means due to the breach of a Conciliation Agreement, MDES will issue a Notification of Breach of Conciliation Agreement. This Notification of Breach of Conciliation Agreement will be sent to entity's authorized signatory and the violating sub-recipients, contractors, and other service providers (such as eligible training providers), grant-making agency, MDES Staff Attorney, and/or other parties such as CRC. The Notification of Breach of Conciliation Agreement will include the following:

- A. Specify any efforts made to achieve voluntary compliance, and indicate that those efforts have been unsuccessful;
- B. Identify the specific provisions of the Conciliation Agreement violated;
- C. Determine liability for the violation and the extent of the liability;
- D. Indicate that failure of the violating party to come into compliance within 10 days of the receipt of the Notification of Breach of Conciliation Agreement may result, after opportunity for a hearing, in the termination or denial of the grant, or discontinuation of assistance, as appropriate, or in referral to the MDES Staff Attorney and/or CRC with a request from the MDES to file suit;
- E. Advise the violating party of the right to request a hearing, and reference the applicable procedures in; and
- F. Include a determination as to of liability (if any).

As stated under §37.110 if compliance has not been achieved after issuance of a Final Determination or a Notification of Breach of Conciliation Agreement MDES may apply sanctions or judicial enforcement as follows:

- A. After opportunity for a hearing, suspend, terminate, deny or discontinue the WIA Title I financial assistance, in whole or in part;
- B. Refer the matter to the MDES Staff Attorney or CRC with a recommendation that an appropriate civil action be instituted; or
- C. Take such action as may be provided by law.

In addition to sanctions and judicial enforcement, if there is no voluntary compliance there may be a deferral of new grants. When the applicable hearing procedures under §37.111 have been initiated against a particular recipient, MDES or the CRC may defer action on that recipient's applications for new WIA Title I financial assistance until a Final Decision as required under §37.112 has been rendered. Deferral is not appropriate when WIA Title I financial assistance is due and payable under a previously approved application. The following criteria are applied to determine New WIA Title I financial assistance:

- A. New WIA Title I financial assistance includes all assistance for which an application or approval, including renewal or continuation of existing activities, or authorization of new activities, is required during the deferral period.
- B. New WIA Title I financial assistance does not include assistance approved before the beginning of proceedings under §37.111, or increases in funding because of changed computations of formula awards.



# 2013 MOA Documentation Section

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This section of the MOA contains supporting documents mentioned in the preceding text of the MOA. While many of the supporting documents are already linked electronically to other websites, these documents are either not available as stand-alone web pages, or they are derived from web pages that are restricted. Each document is linked to the appropriate page or pages in the text for easy navigation.

## **1. Biography for Dr. Dovie Reed**

Reed has worked in several positions within MDES during her career beginning her service in state government in 1989. Prior to becoming the State Workforce Investment Area Equal Opportunity Officer, she served as assistant Equal Opportunity Director, Assistant to the Deputy Executive Directors, Chief Operating Officer and Chief Financial Officer.

Reed holds degrees in Business Education, Guidance and Counseling and a Doctorate in Urban Higher Education. Additionally, her credentials include mediator certification through the Southern Arbitration Institute.

## **2. Biography for Barbara Humphrey, Delta Workforce Investment Area**

Barbara Humphrey is a graduate of Delta State University, Cleveland, Mississippi, where she earned a Bachelor of Business Administration degree. She is currently employed with South Delta Planning and Development District in Greenville, Mississippi as the DWIA Youth Coordinator.

In addition, she is a retiree of the State of Mississippi – Mississippi Department of Corrections. While employed with the Mississippi Department of Corrections, she served in as a Bureau Director, Branch Director, Operations Management Analyst Principal, Pre-Release Counselor and Case Manager. She is a licensed social worker. Her professional training includes Basic Supervisory Training, Bolivar County Chamber of Commerce Leadership Class, Interpersonal Skills, Sexual Harassment, Domestic Violence and Cultural Diversity.

## **3. Biography for Gary Golden, Mississippi Partnership Workforce Investment Area**

Gary Golden joined Three Rivers Planning and Development District in June 2002. Since coming to Three Rivers, he has served as the Adult Program Director for 8 years. As the Adult Program Director, he is responsible for operation of Workforce Investment Act (WIA) programs funded through Adult and Dislocated Worker funds in a 27 county local workforce area. Gary also serves as liaison for the One-Stop Operators, Service Providers, the Local Workforce Board and its committees. Gary has formed excellent working relationships with other Planning & Development Districts, educational institutions, and various other state and local agencies and officials. He oversees a budget of \$8.3 million dollars for job placement programs and training programs.

Gary is a 1993 graduate of Pontotoc High School. There, he had a love for playing sports such as football, baseball, basketball, and power lifting. Gary has continued to coach baseball, football, and softball for Pontotoc Park and Recreation for several years.

He earned a B.A. in Criminal Justice from Alcorn State University in 1997. During his time at Alcorn State, he was a scholarship athlete and a four year letterman on the Alcorn State baseball team.

Also, he served as the President Pontotoc City School Board, and is a board member on the Mississippi School Board Association. An additional to the school board, he is the President of the Community Angels a non-profit organization.

Gary is a member of Usher Valley United Methodist Church in Pontotoc County. Gary has three beautiful daughters Tiara 14, Precious 12, and Gabby 9.

#### **4. Biography for Larry Anderson, Southcentral Mississippi Works Workforce Investment Area**

Larry is the Director of the Human Resources Division of Central Mississippi Planning and Development District (CMPDD) located in Jackson, Mississippi. Larry also serves as the Equal Opportunity Officer for the CMPDD.

Prior to his employment with CMPDD forty years ago, Larry was an accountant with Standard Oil Company of Jackson, Mississippi. He worked for this company for four years.

Larry received his Bachelor of Arts Degree in Business Administration (1969) and his Master of Science in Education Degree in Guidance and Counseling Psychology (1974) from Jackson State University in Jackson, Mississippi.

He is married and is the father of two grown children and lives in the Jackson, Mississippi where he has served on numerous boards and commissions over the years and has many awards for his work in social and economic development.

#### **5. Biography for Sandie Brock, Workforce Youth Administrator and LWIA for the Twin Districts Workforce Area/SMPDD**

Sandie Brock is responsible for the WIA youth contracts in the Twin Districts Workforce Area and also serves as the WIA Local Equal Opportunity Officer, monitoring the WIA recipients in the Twin Districts Workforce Area.

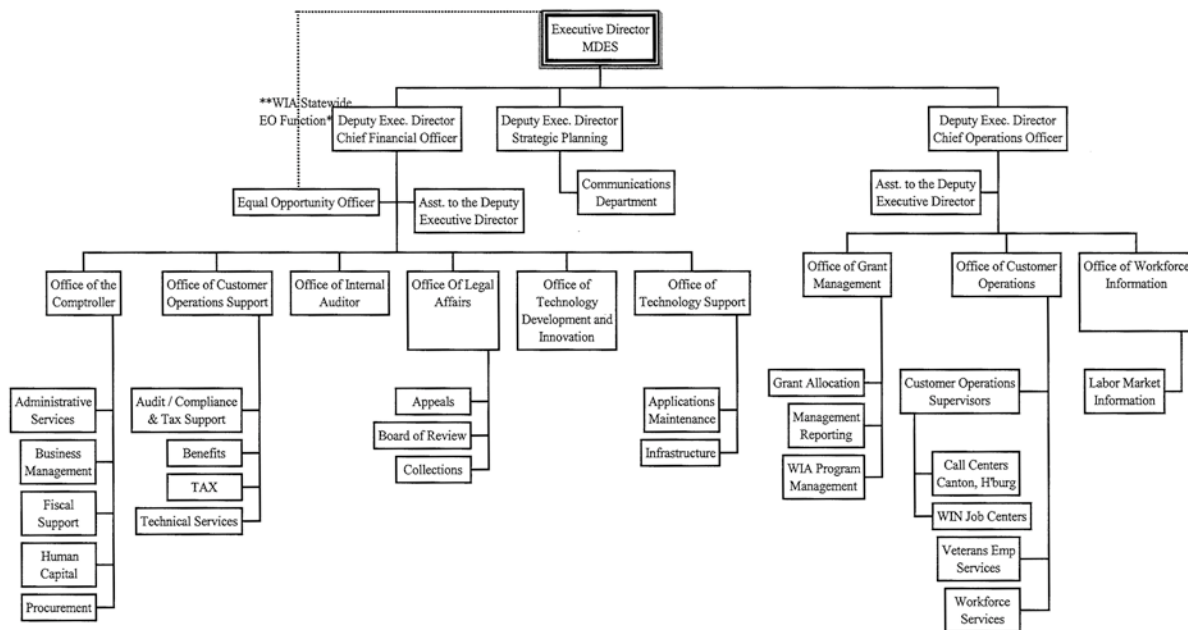
She has been employed with Southern Mississippi Planning & Development District, the fiscal agent for Twin Districts Workforce Area, for 24 years. She began her LWIA duties in 2000, when WIA came in existence, and has continued to serve in that capacity for the past thirteen years. She has participated in numerous EO training sessions throughout the past 12 years, and continues to maintain a high standard of excellence and integrity throughout the district. Sandie received her Bachelor of Science Degree in Education from the University of Mississippi. She is married and the mother of three grown sons and has three grandchildren.

## 6. MDES Organizational Chart

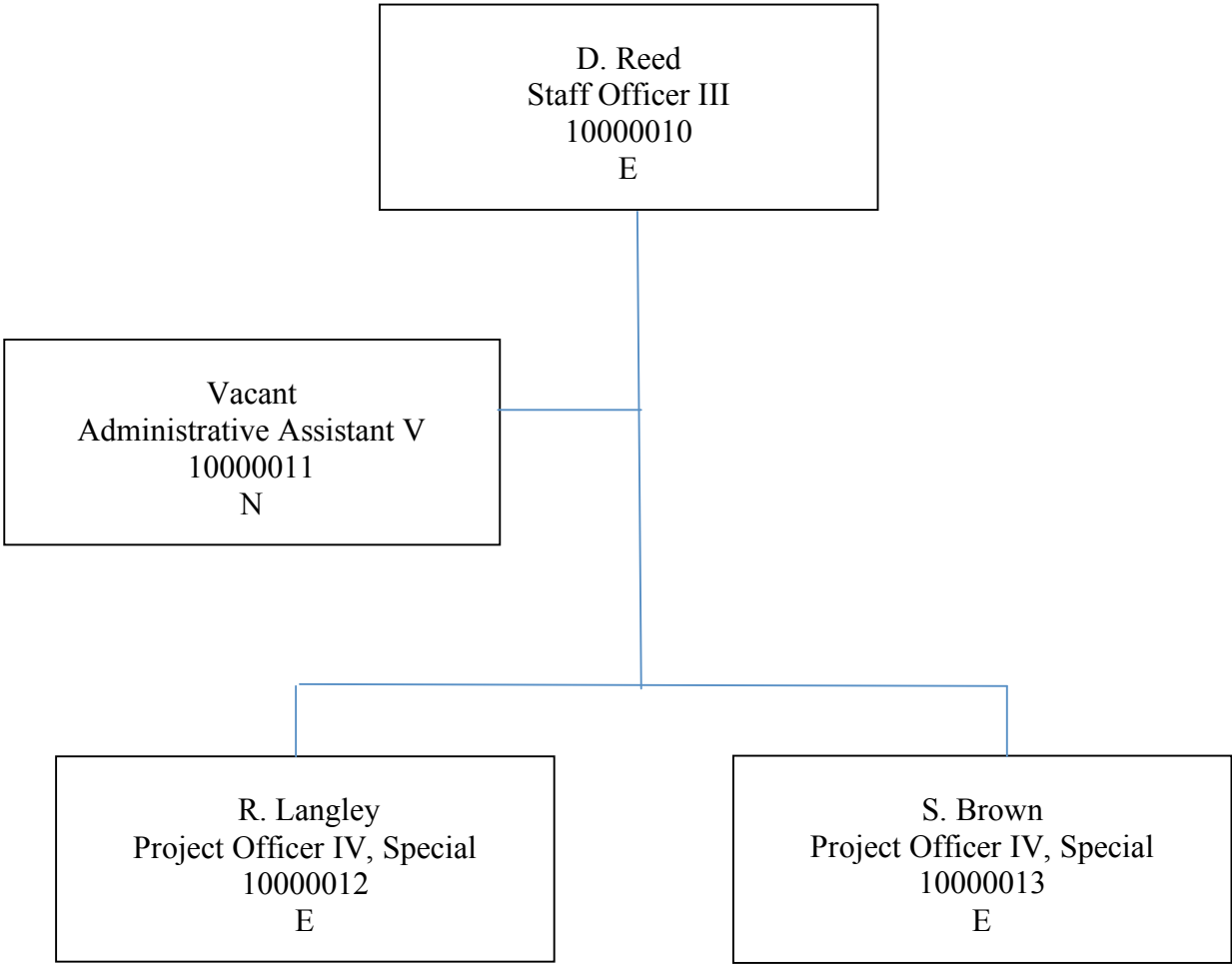
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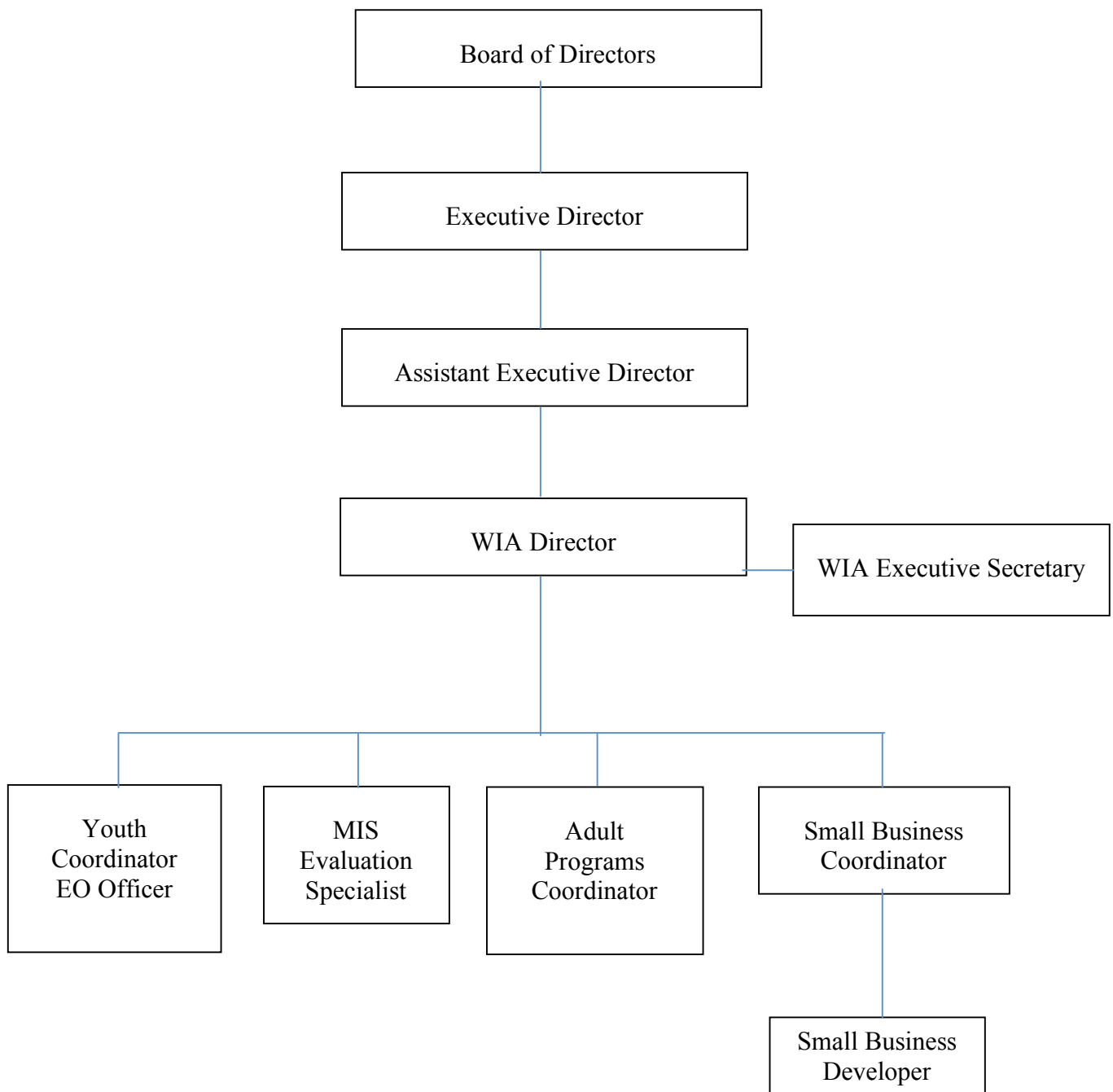
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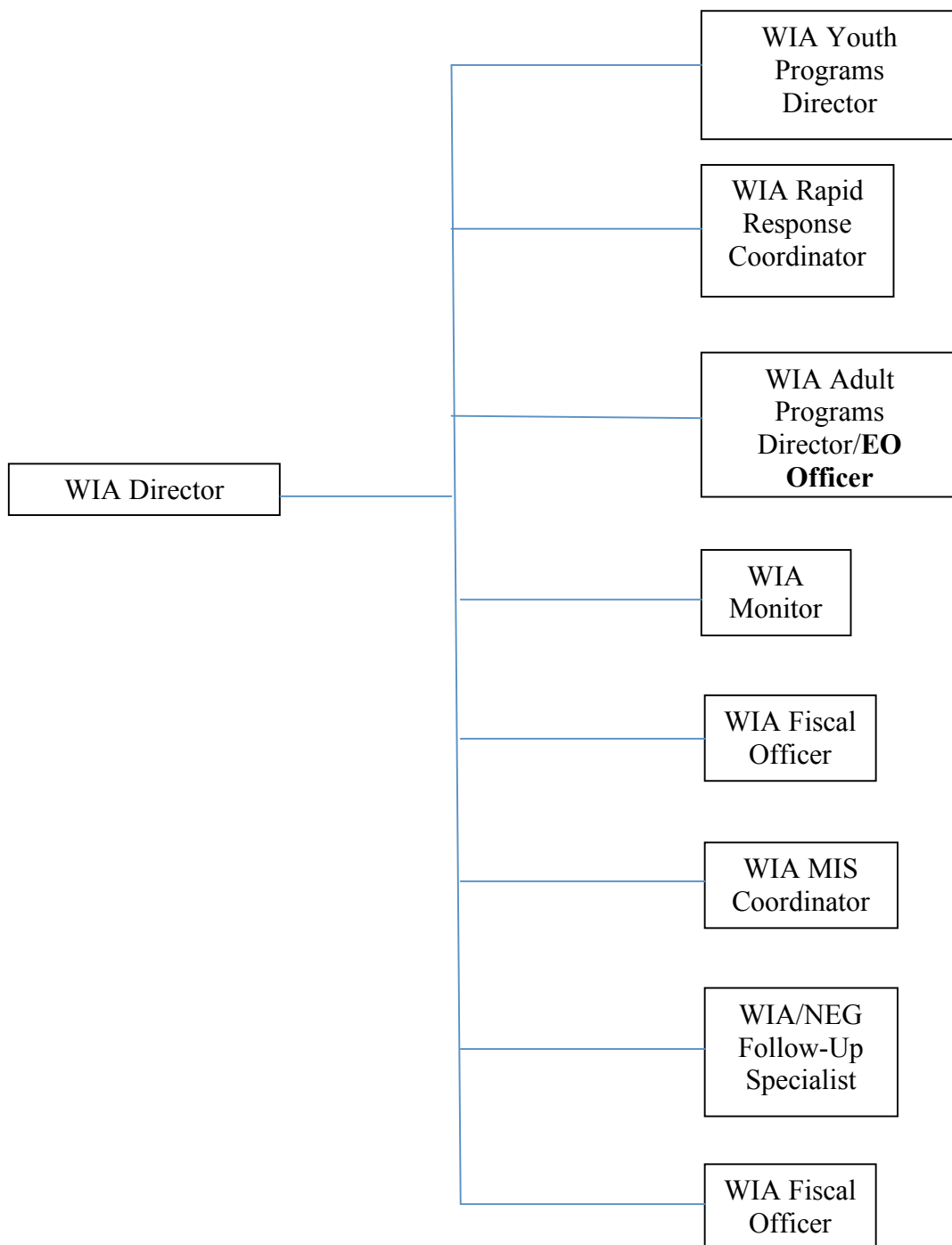
7. MDES Equal Opportunity Organizational Chart



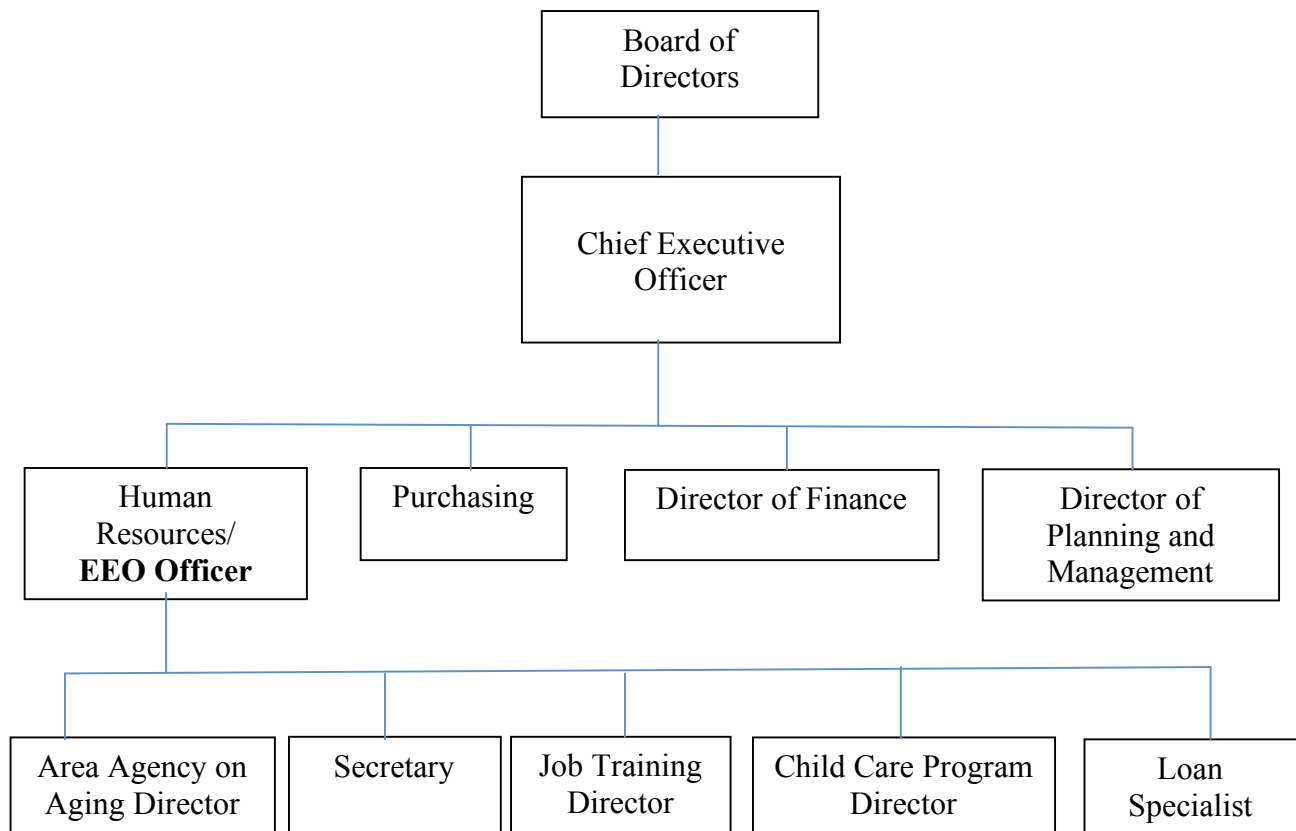
## 8. Delta Workforce Area Organizational Chart



## 9. Mississippi Partnership Workforce Area Organizational Chart

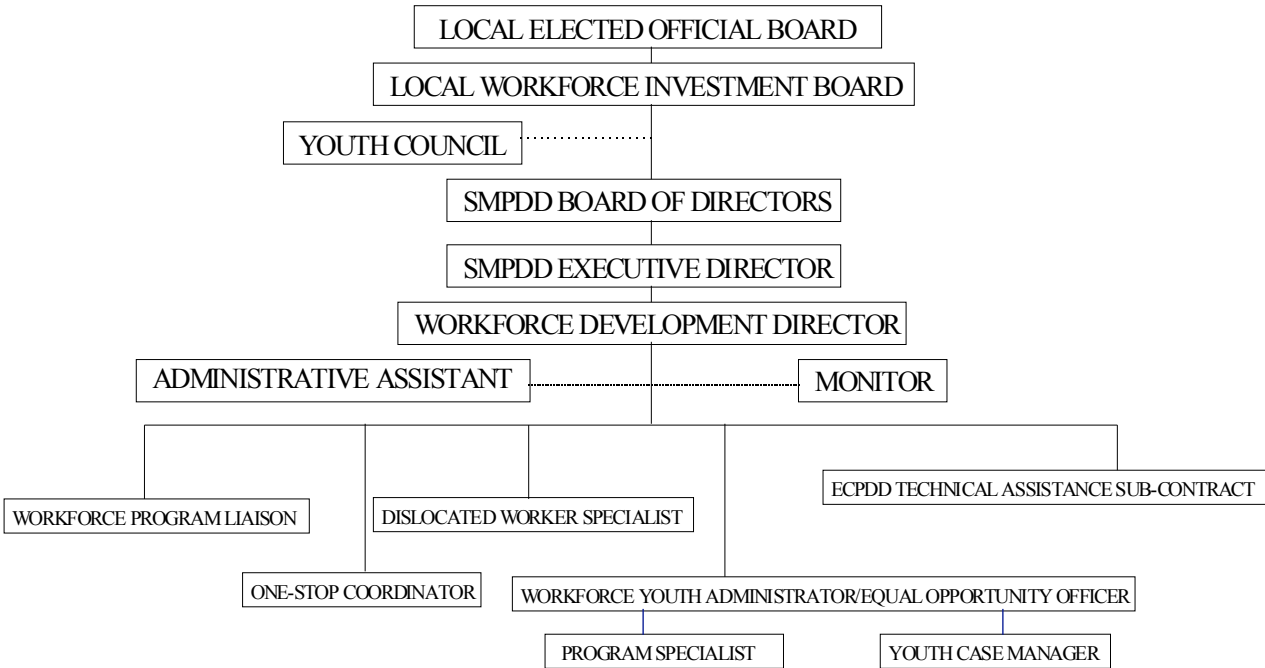


## 10. Southcentral Mississippi Workforce Area Organizational Chart



11. Twin Districts Workforce Area Organizational Chart

WIA ORGANIZATIONAL CHART





## 12. “Equal Opportunity Is the Law” in English

### EQUAL OPPORTUNITY IS THE LAW

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases:

Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and

Against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIA Title I — financially assisted programs or activity.

The recipient must not discriminate in any of the following areas:

Deciding who will be admitted, or have access, to any WIA Title I — financially assisted program or activity.

Providing opportunities in, or treating any person with regard to, such a program or activity; or

Making employment decisions in the administration of, or in connection with, such a program or activity.

### What To Do If You Believe You Have Experienced Discrimination

If you think that you have been subjected to discrimination under a WIA Title I-financially assisted program or Activity, you may file a complaint within 180 days from the date of the alleged violation with either:

#### State - WIA Equal Opportunity Officer

**Dovie Reed**  
State - WIA Equal Opportunity Officer  
MS Department of Employment Security  
P.O. Box 1699  
Jackson, Mississippi 39215-1699  
Telephone: (601) 321-6024  
TDD/TTY: 1-800-582-2233  
E-mail: [dreed@mdes.ms.gov](mailto:dreed@mdes.ms.gov)

#### State - WIA Equal Opportunity Compliance Coordinators

**Randy Langley/Stefanie W. Brown**  
State - WIA Equal Opportunity Compliance Coordinators  
MS Department of Employment Security  
P.O. Box 1699  
Jackson, Mississippi 39215-1699  
Telephone: (601) 321-6504/(601) 321-6031  
TDD/TTY: 1-800-582-2233  
E-mail: [rlangley@mdes.ms.gov](mailto:rlangley@mdes.ms.gov) / [sbrown@mdes.ms.gov](mailto:sbrown@mdes.ms.gov)

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center:

**The Director**  
**Civil Rights Center (CRC)**  
**U.S. Department of Labor**  
200 Constitution Avenue, NW, Room N-4123  
Washington, D.C. 20210  
Voice: (202) 693-6502-TTY: (202) 693-6516

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the recipient to issue that Notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

**WIN Job Center**  
Increasing Employment in Mississippi

**MDES**  
MISSISSIPPI DEPARTMENT of EMPLOYMENT SECURITY

Equal Opportunity Employer Program  
Auxiliary aids and services available upon request to individuals with disabilities.

07/10

### 13. “Equal Opportunity Is the Law” in Spanish

## IGUALDAD DE OPORTUNIDAD ES LA LEY

Es contra la ley que si el destinatario de asistencia financiera federal la discrimine por las siguientes razones:

En contra de cualquier individuo en los Estados Unidos por razón de, raza, color, religión, sexo, edad, incapacidad, origen nacional, afiliación política o credo; y

En contra de cualquier beneficiario de programas asistidos financieramente bajo el Título I de “Workforce Investment Act” del 1998 (WIA), por razón del estatus de ciudadanía siendo un inmigrante legalmente autorizado para trabajar en los Estados Unidos o de su participación en cualquiera de las programas o actividades financieramente asistidos por WIA Título I.

Si el destinatario no discriminará en ninguna de las siguientes áreas:

Decidiendo quien será admitido o tendrá acceso a cualquiera de las programas o actividades de WIA asistidos financieramente por el Título I;

Proveyendo oportunidades en o el tratamiento de cualquier persona con relación a semejante programa o actividad; o en la toma de decisiones de empleo en la administración de o en conexión con semejante programa o actividad.

### ¿Que hacer si usted cree que ha experimentado discriminación?

Si usted cree que ha estado sujeto a discriminación bajo cualquiera de los programas o actividades de WIA asistidos financieramente por el Título I, usted puede presentar una querella dentro de los primeros 180 días después de la alegada violación al Oficial de Oportunidad de Igualdad (Equal Opportunity Officer) del destinatario (o la persona designada por el destinatario para este propósito); o

#### State - WIA Equal Opportunity Officer

**Dovie Reed**

State - WIA Equal Opportunity Officer

MS Department of Employment Security

P.O. Box 1699

Jackson, Mississippi 39215-1699

Telephone: (601) 321-6024

TDD/TTY: 1-800-582-2233

E-mail: [dreed@mdes.ms.gov](mailto:dreed@mdes.ms.gov)

#### State - WIA Equal Opportunity Compliance Coordinators

**Randy Langley/Stefanie W. Brown**

State - WIA Equal Opportunity Compliance Coordinators

MS Department of Employment Security

P.O. Box 1699

Jackson, Mississippi 39215-1699

Telephone: (601) 321-6504/(601) 321-6031

TDD/TTY: 1-800-582-2233

E-mail: [rlangley@mdes.ms.gov](mailto:rlangley@mdes.ms.gov) / [sbrown@mdes.ms.gov](mailto:sbrown@mdes.ms.gov)

Si usted presenta un querella al destinatario, deberá esperar hasta que el destinatario expida una Notificación de Acción Final por escrito o hasta que pasen 90 días (lo primero que suceda), antes de presentar la querella al Centro de Derechos Civiles (Civil Rights Center) (vea la dirección arriba).

**Director del Centro de Derechos Civiles  
(Civil Rights Center - CRC)  
U.S. Department of Labor  
200 Constitution Avenue, NW, Room N-4123  
Washington, D.C. 20210  
Voice: (202) 693-6502-TTY: (202) 693-6516**

Si el destinatario no le provee una Notificación de Acción Final por escrito dentro de 90 días de la fecha cuando usted presentó su querella, usted no tiene que esperar que el destinatario expida la notificación antes de presentar su querella al CRC. Sin embargo, deberá presentar su querella dentro de 30 días después del limite de 90 días (en otras palabras, 120 días después de haber presentado la querella al destinatario).

Si el destinatario le expide una Notificación Acción Final por escrito respondiendo a su querella pero usted no está satisfecho con la decisión o resolución, usted puede presentar su querella a CRC. Su querella deberá ser presentada al CRC dentro de 30 días de la fecha en que usted reciba su Notificación de Acción Final.

**WIN Job Center**

Increasing Employment in Mississippi

**MD|ES**

MISSISSIPPI DEPARTMENT of EMPLOYMENT SECURITY

Programa de oportunidades de igualdad del empleo  
Ayudantes auxiliares y servicios están disponibles para individuos con incapacidades si así lo requieren.

07/10



## 14. “Equal Opportunity Is the Law” in Vietnamese

### Cơ Hội Bình Quyền là Luật Pháp (Equal Opportunity is the Law)

Đây là điều trái luật pháp một khi tiếp thầu viên của cơ quan trợ cấp tài chánh Liên bang ký quỹ vị dựa theo các nền tảng kể sau đây:

Ký thị bất cứ cá nhân nào sống trên Hợp Chúng Quốc bởi vì chủng tộc, màu da, tôn giáo, p tính, nguồn gốc, tuổi tác, tật nguyền, đoàn thể chính trị hay tín ngưỡng.

Ký thị bất cứ người được hưởng trợ cấp nào nằm trong chương trình trợ giúp tài chánh thể t Chương I của Workforce Investment Act năm 1998 (WIA), ký thị thành phần này bởi vì tình tr thường trú nhân, di trú dưới dạng tị nạn và được quyền làm việc trên Hiệp chúng quốc, phn lại thành phần này trong việc dự phần vào bất cứ lãnh vực nào của Chương I WIA - như là nh chương trình trợ cấp tài chánh hay hoạt động liên hệ.

Tiếp thầu viên không được quyền ký thị quỹ vị trong bất cứ lãnh vực nào liệt kê dưới đây:

Trong sự quyết định cho ai là người được ghi tên vào danh sách hay được gia nhập vào bất lãnh vực nào của Chương I WIA - chương trình trợ cấp tài chánh hay hoạt động liên hệ; hoặc l

Trong sự cung cấp những cơ hội đến, cư xử bất cứ thành phần nào cũng bằng sự lưu tâm c vấn đề, đại để như chương trình trợ cấp hay hoạt động liên hệ.

Trong sự quyết định lựa chọn công việc làm trong ban hành chánh, hay móc nối công việc là chẳng hạn như chương trình trợ giúp hay hoạt động liên hệ.

Nên làm gì nếu quỹ vị tin rằng mình bị ký thị?

Nếu quỹ vị nghĩ rằng mình bị ký thị thuộc trong Chương I WIA- chương trình trợ giúp tài ché hay Hoạt động liên hệ, quỹ vị có thể nộp đơn khiếu nại trong vòng 180 ngày kể từ ngày qú định chắc bị xúc phạm, đơn có thể nộp qua:

**State - WIA Equal Opportunity Officer**

Dovie Reed  
State - WIA Equal Opportunity Officer  
MS Department of Employment Security  
P.O. Box 1699  
Jackson, Mississippi 39215-1699  
Telephone: (601) 321-6024  
TDD/TTY: 1-800-582-2233  
E-mail: [dreed@mdes.ms.gov](mailto:dreed@mdes.ms.gov)

**State - WIA Equal Opportunity Compliance Coordinators**

Randy Langley/Stefanie W. Brown  
State - WIA Equal Opportunity Compliance Coordinators  
MS Department of Employment Security  
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Jackson, Mississippi 39215-1699  
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Hoặc qua

Giám đốc Trung Tâm Quyền Lợi Dân Sự  
Bộ Lao Động Hoa Kỳ  
U.S. Department of Labor  
200 Constitution Avenue, NW, Room N-4123  
Washington, D.C. 20210  
Điện thoại số: (202) 219-7001 hoặc (202) 219-7090

Nếu quỹ vị đệ đơn khiếu nại với tiếp thầu viên, quỹ vị cần phải đợi cho đến khi tiếp thầu viên gửi quỹ vị văn thư Notice of Final Action, hoặc đợi sau 90 ngày (theo điều nào đến trước) trước khi quỹ vị đệ đơn khiếu nại qua (Trung Tâm nhân Quyền) Civil Rights Center, Washington, D.C, 20210.

Nếu tiếp thầu viên không gửi quỹ vị văn thư Notice of Final Action trong vòng 90 ngày kể từ ngày quỹ vị đệ đơn, thì quỹ vị không cần phải đợi tiếp thầu viên gửi giấy thông báo đó trước khi quỹ vị nộp đơn khiếu nại qua CRC. Tuy nhiên, quỹ vị phải đệ đơn khiếu nại CRC trong vòng 30 ngày của vòng 90 ngày thời hạn chót (Nói cách khác là: trong vòng 120 ngày kể vào sau ngày quỹ vị đệ đơn khiếu nại với tiếp thầu viên).

Nếu tiếp thầu viên có gửi quỹ vị văn thư Notice of Final Action trong vấn đề quỹ vị khiếu nại, những quỹ vị không thỏa mãn với quyết định hoặc giải pháp đưa ra, thì quỹ vị có thể đệ đơn khiếu nại lên CRC. Quỹ vị phải đệ đơn khiếu nại trong vòng 30 ngày kể từ ngày ghi trong văn thư Notice of Final Action mà quỹ vị nhận được.

Để biết thêm thông tin hoặc muốn điền đơn khiếu nại, xin vui lòng liên hệ với nhân viên phục vụ khách hàng tại địa phương.

**WIN Job Center**  
Increasing Employment in Mississippi  
Equal Opportunity Employer Program Auxiliary aids and services available upon request to individuals with disabilities.

**MD ES**  
MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY

08/10

## **15. Biography for Dr. Randy Langley**

MDES Assistant Equal Opportunity Officer is Randy Langley. He began his work at MDES in the Tupelo WIN Job center in 2005 as an Employment Interviewer. Later, he accepted a position in the MDES Call Center in 2008 and served as a claims intake supervisor four years.

Langley has a Bachelor's degree in Secondary Education, a Master's in Divinity in Biblical Studies, and a Doctorate of Ministry in Pastoral Counseling. He pastored for 20 years, worked as a family counselor and vice president of Hope Family Ministries in Tupelo for three years prior to his beginning his state service.

Langley's training since school includes courses in sexual harassment awareness, diversity training through the Franklin/Covey Corporation, disability awareness training and training in mediation and claims investigation through the Mississippi State Personnel Board. Dr. Langley is a published writer and composer, and sings with The Mississippi Chorus in his spare time.

## **16. Biography for Stefanie Brown**

Stefanie is an African American female native of Hazlehurst, Mississippi, currently serving as the MDES Equal Opportunity Compliance Coordinator.

Before joining the Equal Opportunity Department, Stefanie was employed by Alcorn State University, the United States Marine Corps and the MDES Office of Human Capital.

Stefanie is a graduate of Alcorn State University with a Bachelor of Science in Business Administration. She has worked in Personnel/ Administrative work for the past twenty-three years. Stefanie is married and has a two-year-old daughter, and is active in her church.

17. Flyer: “See What Your WIN ...has for Job Seekers” w/ tagline

## Increasing Employment in Mississippi

# See What Your WIN Job Center ...has for Job Seekers

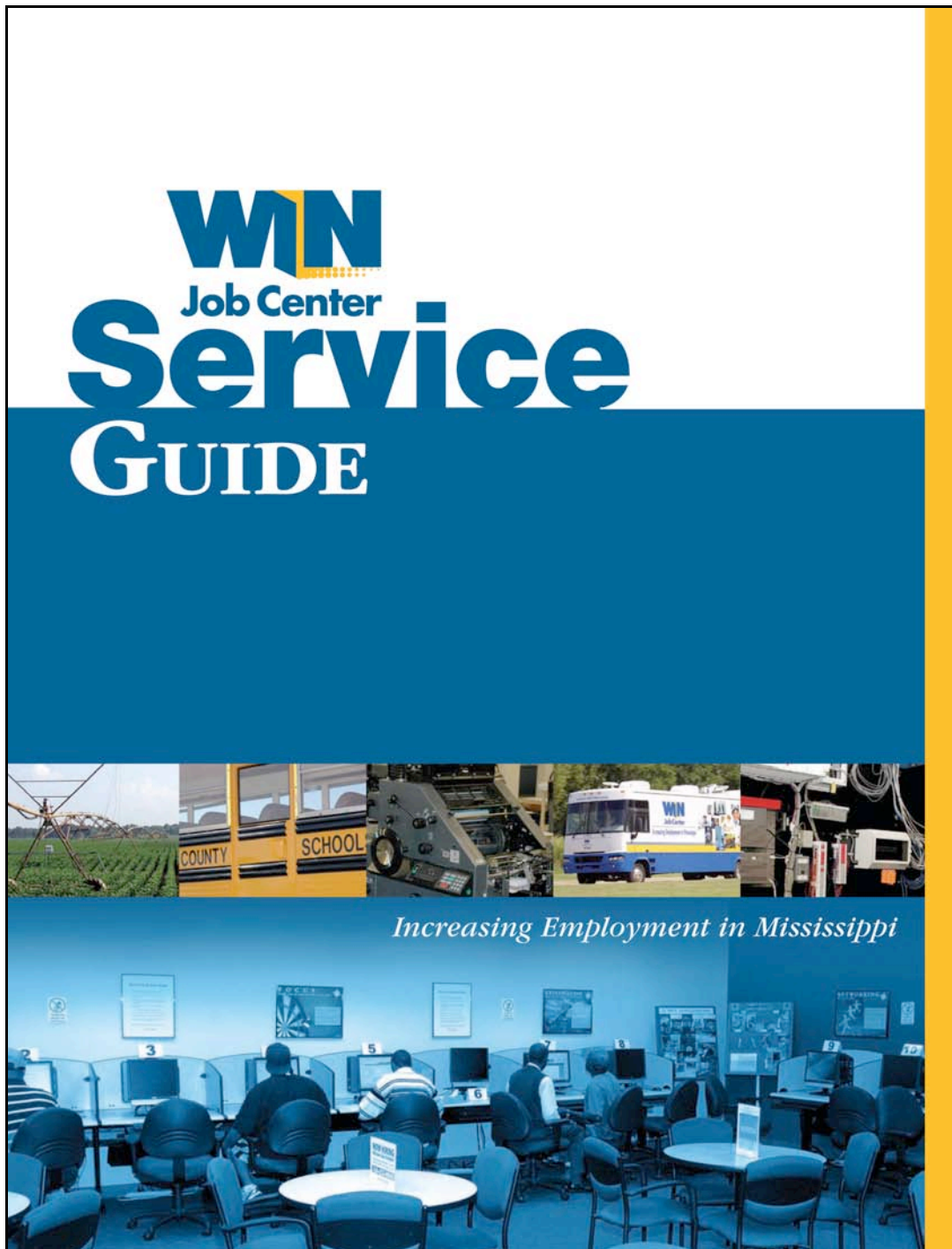
- Free Job Searches on our website
- Priority services for veterans
- Job placement assistance
- Resume software
- Interview tips
- Resume posting
- Access to office equipment: computers, fax machines, copiers and telephones at no cost when conducting a job search
- A variety of employment services
- Labor Market Information
- Information on GED and Adult Basic Education classes
- Information on Unemployment Insurance benefits
- Online Unemployment Insurance filing
- Information on individual training tuition assistance
- Career and aptitude assessment
- Information on assistance to laid-off workers
- Information on Trade Act Assistance benefits for affected workers
- Information on and referral to child care, transportation and other support services
- Referral to rehabilitation services
- Information about the Governor's Job Fair Network
- Rapid Response services to laid-off workers
- Access to Americans with Disabilities Act equipment
- Career assistance to ex-offenders
- Youth service programs
- Computer training labs

For more information, call **888-844-3577**  
or visit [mdes.ms.gov](http://mdes.ms.gov)

**MDES**  
MISSISSIPPI DEPARTMENT of EMPLOYMENT SECURITY

An equal-opportunity employer and program, MDES has auxiliary aids and services available upon request to those with disabilities. Those needing TTY assistance may call 800-562-2233.  
Funded by the U.S. Department of Labor through the Mississippi Department of Employment Security.

18. “WIN Job Center Service Guide” w/ tagline (front and back covers—tagline is bottom of back cover, next page)



## *Increasing Employment in Mississippi*



MISSISSIPPI DEPARTMENT *of* EMPLOYMENT SECURITY

For more information, call

**888-844-3577**

or visit

[mdes.ms.gov](http://mdes.ms.gov)

### **An equal opportunity employer and program**

MDES has auxiliary aids and services available upon request to those with disabilities.

Those needing TTY assistance may call 800-582-2233.

Funded by the U.S. Department of Labor through the Mississippi Department of Employment Security.

WINJC Service Guide – 083112 MDES Communications



# **MISSISSIPPI DEPARTMENT Of EMPLOYMENT SECURITY**



## **Equal Opportunity Handbook 2012**



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## 20. Training and Monitoring Schedule 2012 excerpt: Mississippi Partnership; agency 2012 training schedule

MISSISSIPPI PARTNERSHIP--GARY GOLDEN, DIRECTOR--TERRY CHOATE, COS		Scheduled Monitor Date	Actual Monitor Date
COST CENTER	CUSTOMER SERVICE SPECIALIST		
470-DeSoto County	Antionette Isom	2/2/2012	2/2/2012
Holly Springs	Antionette Isom	2/2/2012	2/2/2012
310-Columbus/Golden Triangle	Jamie De Los Santos	4/18/2012	4/18/2012
131-Louisville	Jamie De Los Santos	4/18/2012	4/18/2012
320-Corinth	Cynthia Garth	3/15/2012	3/14/2012
New Albany	Cynthia Garth	3/15/2012	3/14/2012
Ripley	Cynthia Garth	3/14/2012	3/14/2012
144-Iuka	Rebecca Walker	3/14/2012	3/14/2012
350-Grenada	Cassandra Deamer	4/19/2012	4/19/2012
460-Kosciusko	Terri McRae	4/19/2012	4/19/2012
173-Oxford	Lee Vonnie Armstrong(Von)	2/3/2012	2/3/2012
440-Tupelo	Benjamin Boyd	11/29/2011	11/29/2011
Fulton	Benjamin Boyd	11/28/2011	11/28/2011
Pontotoc	Benjamin Boyd	11/28/2011	11/28/2011
266-Amory	Kathy Hicks	11/28/2011	11/28/2011
Houston	Kathy Hicks	11/29/2011	11/29/2011

## Subrecipient Monitoring Schedule 2012

Subrecipient	Funding Source or Program	Agreement Identifier	Total Funds	Liaison	Visit/Review Date
SCSEP AAA's					
Central MS	SCSEP	N/A	\$ 41,638	R. DeYoung	31-Oct-12
East Central	SCSEP	N/A	\$ 23,132	J. McMillan	6-Dec-12
Golden Triangle	SCSEP	N/A	\$ 13,879	C. Johnson	7-Nov-12
North Central	SCSEP	N/A	\$ 13,879	J. McMillan	13-Dec-12
North Delta	SCSEP	N/A	\$ 18,505	J. McMillan	18-Dec-12
Northeast MS	SCSEP	N/A	\$ 13,879	C. Johnson	23-Oct-12
South Delta	SCSEP	N/A	\$ 32,385	J. McMillan	28-Nov-12
Southern MS	SCSEP	N/A	\$ 62,457	J. McMillan	11-Dec-12
Southwest MS	SCSEP	N/A	\$ 23,132	R. DeYoung	1-Nov-12
Three Rivers	SCSEP	N/A	\$ 18,505	C. Johnson	15-Nov-12
Hurricane Isaac Worksites					
City of Brookhaven	Hurricane Isaac	N/A	N/A	O. Franklin	11-Oct-12
YBGC, Inc	Hurricane Isaac	N/A	N/A	J. Corrie	30-Oct-12
MEMA	Hurricane Isaac	N/A	N/A	M. Estes	4-Dec-12
L.I.F.E Resource Center	Hurricane Isaac	N/A	N/A	B. Pierce	17-Oct-12
Manna Ministries, Inc	Hurricane Isaac	N/A	N/A	B. Pierce	17-Oct-12
City of Bay St. Louis	Hurricane Isaac	N/A	N/A	C. Young	15-Oct-12
Wilkinson Co Chancery Clerk	Hurricane Isaac	N/A	N/A	P. Ballard	16-Oct-12
United Way of Jackson & George Co	Hurricane Isaac	N/A	N/A	H. Williams	15-Oct-12
Wilkinson County BoS	Hurricane Isaac	N/A	N/A	P. Ballard	16-Oct-12
Jefferson County BoS	Hurricane Isaac	N/A	N/A	P. Ballard	16-Oct-12
Greene Co EMA	Hurricane Isaac	N/A	N/A	C. Valentine	30-Oct-12
Hancock Co Resource Center	Hurricane Isaac	N/A	N/A	C. Young	15-Oct-12
Claiborne Co BoS	Hurricane Isaac	N/A	N/A	T. Crudup	8-Nov-12
Wilkinson Co Circuit Clerk	Hurricane Isaac	N/A	N/A	P. Ballard	16-Oct-12

## Course Activity Report

### lchr\_01\_a15\_lc\_enus: Understanding the Americans with Disabilities Act (ADA)

Learner	Last Access	First Access	Times Accessed	Duration	Completion Date
384827 (WILKINS, WILLIAM)	6/4/2012	6/4/2012	1	0:59:45	6/4/2012
560888 (Klamm, Jason)	6/4/2012	6/4/2012	2	1:14:48	6/4/2012
456984 (AMERSON, RACHAEL)	6/6/2012	6/5/2012	12	2:09:23	6/5/2012
410523 (KING, RUTHIE)	6/6/2012	6/6/2012	17	5:08:25	6/6/2012
384927 (WILLOUGHBY, MARY)	6/11/2012	6/11/2012	1	1:15:08	6/11/2012
422984 (DEYOUNG, ROBERT)	6/11/2012	6/11/2012	1	1:09:25	6/11/2012
327636 (HUBBARD, CEDRICK)	6/20/2012	6/11/2012	6	5:02:54	6/20/2012
339690 (Beebe, Robin)	6/12/2012	6/12/2012	2	2:01:42	6/12/2012
555948 (Hanna, Brooke)	6/12/2012	6/12/2012	2	1:57:36	6/12/2012
318843 (STEWART, ROBIN)	6/13/2012	6/12/2012	3	2:08:01	6/13/2012
475268 (CLAY, VALRIE)	6/16/2012	6/13/2012	3	3:17:11	6/16/2012
457523 (ARMSTRONG, HELGA)	6/14/2012	6/13/2012	10	3:03:55	6/13/2012
324919 (Bolls, Tashauna)	6/13/2012	6/13/2012	2	2:15:56	6/13/2012
388801 (EATON, JOHN)	6/13/2012	6/13/2012	2	1:12:07	6/13/2012
459126 (Essary, Lynda)	6/14/2012	6/13/2012	5	1:31:58	6/14/2012
570522 (Pitts, Angela)	6/19/2012	6/15/2012	5	3:25:00	6/19/2012
340352 (GARTH, CYNTHIA)	7/20/2012	6/15/2012	7	4:57:59	7/20/2012
325210 (Bosarge, Brian)	6/18/2012	6/18/2012	3	2:00:47	6/18/2012
428821 (Hennington, Michael)	6/19/2012	6/19/2012	1	0:56:32	6/19/2012
354486 (PACE, RANDALL)	6/19/2012	6/19/2012	5	1:49:10	6/19/2012
373251 (PIERCE, ELSIE)	6/19/2012	6/19/2012	3	1:49:30	6/19/2012
533566 (Wiley, Dennis)	6/20/2012	6/20/2012	1	1:31:40	6/20/2012
569671 (Moore, Patty)	7/3/2012	6/20/2012	3	0:39:25	6/20/2012
tempjennifer (Touchstone, Jennifer)	6/20/2012	6/20/2012	2	0:23:58	6/20/2012
tempelizabeth (Davis, Elizabeth)	7/11/2012	6/20/2012	2	0:28:46	7/11/2012
507555 (RUARK, RICHARD)	6/23/2012	6/20/2012	2	1:02:47	6/23/2012
371594 (Smith, Gaines)	6/21/2012	6/20/2012	9	2:09:18	6/21/2012
323507 (JENKINS, DORA)	6/21/2012	6/21/2012	1	2:44:04	6/21/2012
557352 (Dollarhide, Sharon)	6/28/2012	6/25/2012	4	2:38:19	6/28/2012
397590 (Mannery, Erika)	6/27/2012	6/27/2012	7	0:53:08	6/27/2012
315160 (April, Joanna)	7/18/2012	6/27/2012	8	1:07:25	7/18/2012
327011 (WRIGHT, SHARI)	6/28/2012	6/28/2012	5	1:00:39	6/28/2012
462211 (AUSTIN, WILLIAM)	7/2/2012	6/29/2012	5	1:18:18	6/29/2012

518249 (Brister, Chassity)	7/3/2012	6/29/2012	2	1:46:48	7/3/2012
311453 (GRANGER, KAREN)	7/3/2012	7/3/2012	2	1:19:45	7/3/2012
311144 (Jordan, Kim)	7/5/2012	7/3/2012	4	2:08:47	7/5/2012
476665 (FLOYD, HARRY)	7/5/2012	7/5/2012	2	1:30:26	7/5/2012
529230 (Smithey, Joel)	7/5/2012	7/5/2012	2	1:05:13	7/5/2012
436955 (BOYD, BENJAMIN)	7/5/2012	7/5/2012	4	0:44:47	7/5/2012
316939 (Cole Johnson, Shelia)	7/11/2012	7/11/2012	1	0:46:03	7/11/2012
475337 (BUTLER, JONATHAN)	7/13/2012	7/12/2012	3	5:11:00	7/12/2012
515243 (Herring, Latori)	7/13/2012	7/13/2012	2	1:28:21	7/13/2012
500669 (YOUNG, CHRISTOPHER)	7/16/2012	7/16/2012	1	1:45:17	7/16/2012
499507 (RING, LAURA)	7/17/2012	7/16/2012	2	2:31:32	7/17/2012
361706 (ANGLIN, DAPHNE)	7/17/2012	7/17/2012	1	0:54:01	7/17/2012
300075 (Clark, Kimberly)	7/18/2012	7/18/2012	3	1:09:50	7/18/2012
386138 (BROOKS, DIANE)	7/23/2012	7/18/2012	2	2:12:36	7/23/2012
309467 (Jones, Mary)	7/23/2012	7/18/2012	2	1:49:27	7/23/2012
555136 (Knight, Billy)	7/19/2012	7/18/2012	3	2:02:04	7/19/2012
372590 (PEOPLES, MARY)	7/19/2012	7/18/2012	4	2:30:46	7/18/2012
347460 (SAUCIER, KENNETH)	7/23/2012	7/20/2012	14	3:45:32	7/20/2012
476063 (HUBBARD, KAJUANA)	7/23/2012	7/20/2012	3	3:09:13	7/20/2012
406780 (Hilton, Michelle)	7/23/2012	7/20/2012	5	1:59:51	7/20/2012
421822 (Ivy, Melinda)	6/5/2012	6/5/2012	1	1:36:06	6/5/2012
553203 (VANDEVENDER, DEBRA)	6/6/2012	6/6/2012	1	0:54:15	6/6/2012
341865 (BROWN, STEFANIE)	6/14/2012	6/6/2012	4	1:46:48	6/14/2012
557862 (Lee, James)	6/6/2012	6/6/2012	1	0:48:17	6/6/2012
509118 (Bell, Victoria)	6/8/2012	6/7/2012	3	2:28:06	6/7/2012
565392 (Willis, James)	6/12/2012	6/12/2012	1	1:27:44	6/12/2012
534579 (Sligh, Seth)	6/13/2012	6/13/2012	1	1:12:05	6/13/2012
557861 (Burton, Melody)	6/16/2012	6/13/2012	19	3:00:12	6/16/2012
354936 (Applewhite LYNCHARD, NIKKI)	6/14/2012	6/14/2012	2	0:47:56	6/14/2012
407402 (DELEEUW, YVETTE)	7/12/2012	6/14/2012	3	0:50:43	6/14/2012
472631 (JAMESON, THOMAS)	6/15/2012	6/15/2012	1	1:03:03	6/15/2012
350548 (AMOS, RENWICK)	6/25/2012	6/15/2012	5	1:52:33	6/22/2012
372945 (TILLMON, MACHERYL)	6/24/2012	6/17/2012	9	5:00:54	6/24/2012
tempjevelle (Holt, Jevelle)	6/28/2012	6/20/2012	7	0:49:59	6/28/2012
tempjohnhowell (Howell, John)	6/28/2012	6/20/2012	2	0:39:57	6/28/2012
505051 (BROOKSHIRE, CELESTE)	6/21/2012	6/21/2012	1	0:41:26	6/21/2012
388331 (Cole, Ann)	6/21/2012	6/21/2012	2	1:21:30	6/21/2012
341640 (Magee, Gary)	6/28/2012	6/26/2012	12	2:01:04	6/28/2012
403771 (Goodson, Karen)	6/29/2012	6/29/2012	2	2:08:36	6/29/2012
351223 (MOORE, JOHNNIE)	6/29/2012	6/29/2012	1	1:47:44	6/29/2012
323784 (Welch, Kendall)	6/29/2012	6/29/2012	1	1:24:18	6/29/2012
313740 (Hampton, Gladys)	7/12/2012	7/11/2012	2	1:30:48	7/11/2012

329715 (Burkett, Jerry)	7/17/2012	7/16/2012	3	3:00:59	7/16/2012
tempchristopherr (Randolph, Christopher)	7/18/2012	7/17/2012	4	0:33:32	7/17/2012
323094 (LOWE, BARBARA)	3/2/2011	3/1/2011	4	3:43:34	3/1/2011
462641 (THOMPSON, CARA)	6/4/2012	6/4/2012	1	0:21:43	6/4/2012
342230 (Hayes, Patricia)	6/7/2012	6/7/2012	4	1:27:34	6/7/2012
488013 (CURRAN, MICHAEL)	6/8/2012	6/7/2012	2	1:19:41	6/8/2012
353622 (Sutton, Sharon)	6/8/2012	6/8/2012	1	2:08:44	6/8/2012
576926 (Pound, Kristie)	6/12/2012	6/12/2012	1	1:18:29	6/12/2012
312810 (ANDERSON, THEODORA)	6/13/2012	6/13/2012	2	2:15:52	6/13/2012
500647 (VanLandingham, Mary)	6/19/2012	6/13/2012	5	3:45:35	6/19/2012
574084 (McNair, Abegail)	6/27/2012	6/13/2012	2	0:50:06	6/27/2012
367520 (Moss, Carol)	6/27/2012	6/14/2012	2	1:20:39	6/27/2012
310716 (Taylor, Jimmy)	6/15/2012	6/15/2012	1	1:33:15	6/15/2012
312670 (Barnett, Joyce)	6/15/2012	6/15/2012	1	1:46:50	6/15/2012
419445 (Learmonth, Janine)	6/18/2012	6/18/2012	2	0:32:39	6/18/2012
336218 (MONCURE, GWENDOLYN)	6/18/2012	6/18/2012	3	1:09:24	6/18/2012
421161 (BLANTON, JAYE)	6/18/2012	6/18/2012	1	1:28:03	6/18/2012
328309 (HUDSON, JEANNE)	6/19/2012	6/18/2012	5	2:02:02	6/19/2012
454101 (Rogers, Ladonna)	6/19/2012	6/19/2012	2	1:42:09	6/19/2012
332688 (England, Veronica)	6/26/2012	6/19/2012	2	0:58:53	6/26/2012
461756 (REID, DAVID)	6/20/2012	6/20/2012	1	1:07:34	6/20/2012
495279 (COOK, BENITA)	6/22/2012	6/22/2012	1	1:38:24	6/22/2012
388575 (McRae, Iris)	6/27/2012	6/27/2012	2	1:21:29	6/27/2012
503631 (BRACKIN, JENNY)	6/27/2012	6/27/2012	1	0:27:43	6/27/2012
403764 (MONCURE, CLAUDIA)	6/27/2012	6/27/2012	1	0:51:41	6/27/2012
516063 (DRAKE, ALISA)	6/28/2012	6/28/2012	1	0:41:55	6/28/2012
485410 (Taylor, Della)	6/29/2012	6/28/2012	6	1:33:14	6/28/2012
325378 (WHITESIDE, NANCY)	7/5/2012	7/5/2012	1	1:56:03	7/5/2012
463802 (WILSON, DANA)	7/5/2012	7/5/2012	1	1:25:13	7/5/2012
375154 (BRANDON, DOROTHY)	7/6/2012	7/5/2012	5	3:06:29	7/5/2012
574095 (Talley, Merle)	7/18/2012	7/18/2012	1	0:38:52	7/18/2012
406352 (Townsend, Tommy)	7/19/2012	7/18/2012	2	3:20:25	7/19/2012
464938 (Matthews, Jon)	7/23/2012	7/20/2012	7	1:38:42	7/23/2012
327252 (WILLIAMS, NATHANIEL)	6/4/2012	6/4/2012	5	1:06:43	6/4/2012
462108 (HOLMES, MARANDA)	7/2/2012	6/5/2012	5	3:54:50	7/2/2012
382688 (ROSE, ELDRIDGE)	6/6/2012	6/5/2012	2	2:54:35	6/5/2012
371639 (Williams, Linda)	7/18/2012	6/7/2012	3	2:59:07	7/18/2012
332916 (DUNAWAY, DONALD)	6/8/2012	6/7/2012	3	0:20:28	6/7/2012
387941 (HORTON, DIANNE)	6/13/2012	6/13/2012	9	3:40:24	6/13/2012
504338 (BRADFORD, JEFFREY)	7/20/2012	6/13/2012	10	2:01:53	7/20/2012
369986 (WALKER, SARAH)	6/15/2012	6/14/2012	3	5:17:04	6/15/2012

426354 (TURNER, DEIDRA)	6/20/2012	6/18/2012	5	3:33:51	6/19/2012
346793 (HACKETT, DIANNE)	6/21/2012	6/19/2012	6	1:56:50	6/21/2012
326469 (BROWN, JANIE)	6/19/2012	6/19/2012	1	0:25:06	6/19/2012
311765 (Aaron, Carolyn)	6/26/2012	6/19/2012	17	2:07:55	6/26/2012
tempbruce (Snelgrove, Bruce)	7/11/2012	6/20/2012	3	3:15:48	7/11/2012
550652 (Hollis, Donna)	6/20/2012	6/20/2012	8	3:14:45	6/20/2012
442857 (GOSS, VERONICA)	6/21/2012	6/20/2012	4	1:21:39	6/21/2012
559838 (Marshall, Richard)	6/25/2012	6/24/2012	1	0:55:44	6/24/2012
353845 (BULLOCK, BILLY)	6/26/2012	6/26/2012	1	0:57:38	6/26/2012
574093 (Steece, Darla)	6/29/2012	6/27/2012	39	4:06:05	6/28/2012
313411 (SIMMONS, DEBBIE)	7/3/2012	6/29/2012	6	3:54:51	7/2/2012
409356 (MANN, DAVID)	7/2/2012	7/2/2012	3	2:07:16	7/2/2012
419188 (HUNT, PATRICIA)	7/5/2012	7/3/2012	3	2:51:45	7/5/2012
313547 (TISDALE, JUDY)	7/11/2012	7/11/2012	6	1:54:28	7/11/2012
355805 (Pegues, Diane)	7/16/2012	7/16/2012	1	1:59:23	7/16/2012
383993 (MCBRAYER, LOUIS)	7/18/2012	7/17/2012	3	3:52:46	7/18/2012
557658 (WILLIAMSON, STACIE)	7/18/2012	7/18/2012	1	0:51:45	7/18/2012
547180 (Black, Formeka)	7/18/2012	7/18/2012	2	1:20:48	7/18/2012
548746 (Brown, Toma)	7/20/2012	7/18/2012	7	2:55:46	7/20/2012
325482 (Lodge, Azalia)	7/20/2012	7/20/2012	1	1:02:25	7/20/2012
310343 (POSEY, MARK)	7/20/2012	7/20/2012	1	0:27:44	7/20/2012
339434 (HEMPHILL, PAMELA)	6/13/2012	5/21/2012	4	0:50:41	5/21/2012
503429 (Herndon, Michael)	6/5/2012	6/5/2012	1	1:22:17	6/5/2012
371121 (GASSON, EARL)	6/8/2012	6/5/2012	6	0:59:48	6/5/2012
542132 (TERRELL, TIFFANY)	6/8/2012	6/6/2012	4	0:54:47	6/8/2012
517659 (MCMILLAN, JOHN)	6/8/2012	6/8/2012	1	1:31:51	6/8/2012
371508 (Rives, Michael)	6/8/2012	6/8/2012	3	1:25:05	6/8/2012
326956 (GROVE, DALE)	6/12/2012	6/11/2012	3	2:39:34	6/12/2012
369366 (Benson, Donald)	6/13/2012	6/11/2012	5	4:38:06	6/13/2012
538266 (McNay, Donald)	6/12/2012	6/12/2012	2	1:19:27	6/12/2012
537592 (Jimerson, Shamiko)	6/13/2012	6/13/2012	1	1:32:29	6/13/2012
407413 (BELL, RAPHAEL)	6/22/2012	6/13/2012	2	2:29:36	6/22/2012
503628 (Beasley, Corey)	6/15/2012	6/15/2012	2	1:36:16	6/15/2012
461026 (GRANDERSON, CHRISTINA)	6/19/2012	6/19/2012	7	0:25:57	6/19/2012
524419 (Mabry, Matthew)	6/20/2012	6/20/2012	2	1:22:46	6/20/2012
455869 (PRIDEAUX, KAREN)	6/20/2012	6/20/2012	1	0:59:30	6/20/2012
567156 (Dixon, Timothy)	7/11/2012	6/20/2012	2	1:09:24	7/11/2012
467562 (Barker, Jeffery)	7/12/2012	6/20/2012	2	1:16:17	7/12/2012
438915 (SHANKS, DORIS)	7/6/2012	6/21/2012	8	5:36:21	7/5/2012
414736 (BATISTE, ROSA)	6/21/2012	6/21/2012	2	1:59:32	6/21/2012
412726 (MARTIN, BURKETT)	6/22/2012	6/22/2012	1	1:04:15	6/22/2012
355633 (OSCAR, TRACY)	6/22/2012	6/22/2012	1	1:40:21	6/22/2012

501428 (Hoskins, Vashni)	6/25/2012	6/25/2012	2	1:24:49	6/25/2012
431427 (DOCHER, MELISSA)	7/2/2012	7/2/2012	1	0:16:47	7/2/2012
394592 (KING, TIMOTHY)	7/11/2012	7/11/2012	2	0:46:28	7/11/2012
412215 (HODGE, GENEVA)	7/13/2012	7/12/2012	2	2:23:06	7/13/2012
540764 (McRae, Terri)	7/13/2012	7/13/2012	1	1:08:32	7/13/2012
334801 (MCKINLEY, CAROLYN)	7/16/2012	7/16/2012	2	3:08:58	7/16/2012
510502 (BRADLEY, LORETTA)	7/17/2012	7/17/2012	8	1:34:49	7/17/2012
513592 (Martin, Barbara)	7/18/2012	7/18/2012	1	2:06:51	7/18/2012
495263 (SMITH, JENNIFER)	6/7/2012	6/4/2012	6	1:19:49	6/7/2012
561013 (Yates, Stephen)	6/5/2012	6/4/2012	5	0:51:14	6/4/2012
313578 (Pennington, Deborah)	6/4/2012	6/4/2012	1	1:15:42	6/4/2012
326707 (THOMAS, ELIZABETH)	6/8/2012	6/8/2012	2	1:40:22	6/8/2012
402102 (GATEWOOD, KIMBERLY)	6/13/2012	6/11/2012	5	1:55:37	6/13/2012
319272 (MAPLES, JAMES)	6/12/2012	6/12/2012	1	1:15:45	6/12/2012
422239 (SIMONS, BRADFORD)	6/12/2012	6/12/2012	3	1:54:38	6/12/2012
421143 (Williams, Patsy)	6/12/2012	6/12/2012	2	3:53:30	6/12/2012
311123 (WOODS, MELVIN)	6/12/2012	6/12/2012	9	2:30:50	6/12/2012
539649 (Wormser, Lucas)	6/12/2012	6/12/2012	5	0:42:01	6/12/2012
411770 (DOUGLAS, ARNITRA)	7/17/2012	6/13/2012	7	2:59:26	6/27/2012
388841 (CLARIN, JAMES)	6/15/2012	6/15/2012	2	1:06:42	6/15/2012
325129 (WALKER, RUBY)	6/18/2012	6/18/2012	1	0:30:41	6/18/2012
574096 (Hermes, Angela)	7/11/2012	6/20/2012	7	1:24:36	7/11/2012
404428 (Williams, Janet)	6/22/2012	6/22/2012	3	1:45:02	6/22/2012
479699 (Gamill, Annie)	7/23/2012	6/25/2012	7	2:02:54	7/20/2012
383422 (Odom, Larry)	6/26/2012	6/26/2012	1	2:09:43	6/26/2012
325362 (Hayes, Princess)	7/2/2012	7/2/2012	2	1:31:00	7/2/2012
451265 (PATTON, SHANON)	7/13/2012	7/13/2012	1	1:04:10	7/13/2012
311262 (DEAN, GAIL)	7/17/2012	7/17/2012	5	1:22:21	7/17/2012
387184 (HALL, TERRI)	7/19/2012	7/19/2012	1	0:31:56	7/19/2012
510422 (Duvall, Kathy)	7/19/2012	7/19/2012	6	1:31:48	7/19/2012
493845 (JACKSON, PENNY)	7/20/2012	7/20/2012	5	1:41:42	7/20/2012
529944 (Lott, Tabari)	7/24/2012	7/20/2012	5	3:51:06	7/24/2012
324452 (GRAHAM, FELICIA)	7/23/2012	7/23/2012	1	1:35:14	7/23/2012
495562 (LANGLEY, RANDY)	10/12/2011	10/12/2011	1	0:11:29	10/12/2011
541382 (Robbins, Janice)	6/5/2012	6/4/2012	2	0:57:56	6/5/2012
315090 (MCGRIGGS, KETRA)	6/6/2012	6/5/2012	3	1:30:36	6/5/2012
472820 (ROBINSON COOK, ERMA)	7/18/2012	6/6/2012	4	2:20:59	7/18/2012
488061 (CAROLLO, MELISSA)	6/19/2012	6/13/2012	2	2:35:14	6/19/2012
381324 (BRUMFIELD, RODERICK)	7/3/2012	6/13/2012	5	3:47:43	7/3/2012
349319 (MILLER, FLORINE)	6/14/2012	6/14/2012	1	0:54:02	6/14/2012
370770 (Knezevich, Mike)	6/26/2012	6/22/2012	3	2:03:43	6/26/2012
544243 (Lynch, Danny)	6/25/2012	6/25/2012	1	1:15:51	6/25/2012



502125 (BOYD, ANDREA)	7/5/2012	7/5/2012	1	1:21:37	7/5/2012
514563 (DICKERSON, HELEN)	7/10/2012	7/9/2012	2	1:22:40	7/10/2012
438193 (Laster, Ashanta)	7/18/2012	7/11/2012	5	5:24:59	7/18/2012
498790 (Sistrunk, Charlla)	7/20/2012	7/11/2012	6	1:37:06	7/20/2012
517144 (Kennedy, Angela)	7/16/2012	7/16/2012	1	2:17:26	7/16/2012
335305 (MCPEAK, JACK)	7/18/2012	7/18/2012	1	1:56:35	7/18/2012
323465 (WARE, CHET)	7/20/2012	7/19/2012	2	0:49:12	7/20/2012
495415 (Harris, LaKeisha)	7/19/2012	7/19/2012	1	2:01:51	7/19/2012
329557 (BRAND, SHELLIE)	6/7/2012	6/6/2012	7	3:13:17	6/7/2012
350340 (Seals, Portia)	6/11/2012	6/11/2012	1	2:02:42	6/11/2012
542393 (Tolbert, Toris)	6/11/2012	6/11/2012	1	0:42:00	6/11/2012
315403 (GOSA, SHIRLEY)	6/12/2012	6/12/2012	1	1:50:50	6/12/2012
381705 (Cayson, Laquita)	6/12/2012	6/12/2012	1	2:24:12	6/12/2012
tempeloise (Herndon, Eloise)	7/18/2012	6/13/2012	3	2:05:04	7/18/2012
336801 (Shelby, Wanda)	7/12/2012	6/20/2012	6	2:12:39	7/11/2012
541893 (Bates, Donna)	7/20/2012	6/20/2012	3	0:59:18	7/20/2012
307135 (ALDERMAN, ELIZABETH)	6/27/2012	6/26/2012	2	0:54:30	6/27/2012
446840 (James, Daphne)	6/27/2012	6/27/2012	2	2:23:35	6/27/2012
490468 (THIBODEAUX, SUDIE)	7/5/2012	7/5/2012	3	4:05:40	7/5/2012
390951 (GOODMAN, ANGELA)	7/10/2012	7/9/2012	2	0:28:18	7/10/2012
349743 (SPEARS, DIANNE)	7/10/2012	7/10/2012	2	0:34:40	7/10/2012
499488 (HESTER, DANA)	7/19/2012	7/11/2012	3	1:18:43	7/19/2012
465450 (Landrum, Erin)	6/6/2012	6/6/2012	2	1:34:26	6/6/2012
467703 (KOESTLER, BETTY)	6/8/2012	6/8/2012	3	0:43:14	6/8/2012
375406 (WILLIAMS, TORIS)	6/11/2012	6/11/2012	4	0:32:01	6/11/2012
576944 (Elzy, Nicole)	6/12/2012	6/12/2012	2	2:08:39	6/12/2012
323595 (NEAL, GLORIA)	6/14/2012	6/14/2012	1	1:00:55	6/14/2012
562444 (ANTIONE, SUSAN)	6/20/2012	6/19/2012	5	2:32:14	6/20/2012
378214 (COOK SANDERS, RHONDA)	6/19/2012	6/19/2012	3	0:31:12	6/19/2012
400579 (ASHER, ROBBIE)	6/22/2012	6/21/2012	2	0:21:59	6/22/2012
440182 (COLLINS, TERA)	6/27/2012	6/27/2012	2	0:56:56	6/27/2012
371646 (JOHNSON, CHERYL)	7/5/2012	7/2/2012	5	1:28:58	7/5/2012
551887 (Inman, James)	7/5/2012	7/5/2012	1	0:37:06	7/5/2012
466688 (Francis, Angela)	7/13/2012	7/13/2012	1	0:57:11	7/13/2012
496549 (CHAMBERS, MATTIE)	7/19/2012	7/17/2012	2	0:44:09	7/19/2012
547618 (Hanna, Cory)	7/19/2012	7/18/2012	2	1:15:49	7/18/2012
454772 (BRACEY, MICHAEL)	7/19/2012	7/19/2012	3	0:35:06	7/19/2012
481143 (WILLIAMS, AMEILA)	7/20/2012	6/4/2012	2	0:37:48	7/20/2012
325926 (DOBBINS, BONNIE)	6/7/2012	6/7/2012	2	1:35:20	6/7/2012
557535 (Johnson, Tarvose)	6/12/2012	6/11/2012	2	1:27:11	6/12/2012
490659 (Gorden, Joan)	7/18/2012	6/13/2012	8	5:17:01	7/9/2012
329214 (BOSTON, DIANE)	6/22/2012	6/15/2012	6	4:23:34	6/22/2012

509734 (JONES, BOBBY)	6/20/2012	6/20/2012	1	0:39:44	6/20/2012
426694 (Quinn, Nicole)	6/26/2012	6/26/2012	2	2:06:48	6/26/2012
441795 (EPPS, LORANE)	6/29/2012	6/26/2012	4	4:31:00	6/29/2012
567384 (Asby, Emma)	6/28/2012	6/28/2012	1	0:50:32	6/28/2012
416727 (APPLEWHITE, SHAE)	7/16/2012	7/16/2012	2	1:36:09	7/16/2012
386865 (JOHNSON, SILVER)	7/19/2012	7/18/2012	2	0:57:47	7/19/2012
522527 (RAY, VERNON)	6/22/2012	6/6/2012	5	1:40:49	6/22/2012
339534 (Booker, Nikita)	6/7/2012	6/6/2012	7	1:15:35	6/7/2012
308129 (DUNCAN, JOHN)	6/15/2012	6/15/2012	1	0:35:53	6/15/2012
504985 (Roach, James)	6/15/2012	6/15/2012	1	2:02:49	6/15/2012
tempchristian (Sanders, Christian)	6/20/2012	6/20/2012	1	0:25:25	6/20/2012
422103 (Harris, Morris)	6/26/2012	6/25/2012	16	1:59:39	6/26/2012
306691 (Smith, Veronica)	7/3/2012	7/2/2012	2	2:38:55	7/3/2012
323464 (MCBRIDE, JANICE)	7/3/2012	7/3/2012	2	2:26:16	7/3/2012
351551 (Nelson, Gary)	7/10/2012	7/10/2012	1	0:31:57	7/10/2012
426361 (Lyford, Marlene)	7/18/2012	7/18/2012	1	1:44:39	7/18/2012
414359 (Brooken, Alfred)	7/22/2012	7/20/2012	7	1:42:52	7/22/2012
342737 (Davis, Velma)	6/4/2012	6/4/2012	2	1:36:58	6/4/2012
513185 (JAMES, GLORIA)	6/7/2012	6/6/2012	3	3:37:48	6/7/2012
466689 (HOBBS, CARRIE)	6/7/2012	6/7/2012	1	0:50:07	6/7/2012
375839 (Nash, Roderick)	6/19/2012	6/7/2012	17	4:18:21	6/19/2012
311383 (MANOGIN, ROSIE)	6/8/2012	6/7/2012	2	1:38:56	6/7/2012
384547 (CARPENTER, SAM)	6/14/2012	6/13/2012	3	1:32:45	6/13/2012
361766 (BRATTON, ANGELA)	7/3/2012	7/3/2012	2	0:55:07	7/3/2012
536547 (Massey, Kevin)	7/20/2012	7/20/2012	2	0:23:04	7/20/2012
518523 (Hosey, Pamela)	6/27/2012	6/27/2012	1	0:51:21	6/27/2012
445010 (McClure, Amanda)	6/29/2012	6/27/2012	5	1:37:46	6/29/2012
433066 (Bailey, Adriane)	7/18/2012	6/27/2012	2	0:45:43	7/18/2012
557019 (Evans, Camelia)	7/11/2012	6/29/2012	2	1:05:53	7/11/2012
515245 (Bass, Mindy)	6/8/2012	6/8/2012	3	0:28:47	6/8/2012
550645 (NAYLOR, BARBARA)	7/11/2012	6/20/2012	5	0:17:15	7/11/2012
459700 (CAHOON III, JOHNNIE)	6/21/2012	6/21/2012	1	1:37:18	6/21/2012
434820 (DENT, CICELY)	6/26/2012	6/26/2012	1	1:22:39	6/26/2012
375440 (MCGINTY, JOSEPH)	6/18/2012	6/18/2012	1	0:16:41	6/18/2012
484556 (Jones, Jan)	7/20/2012	6/20/2012	12	3:23:19	7/19/2012
546572 (Prater, Kondwani)	7/12/2012	6/27/2012	7	3:48:32	6/27/2012
406447 (KING, LATWANDA)	6/6/2012	6/6/2012	1	1:34:19	6/6/2012
370941 (COLEMAN, DAVID)	6/22/2012	6/22/2012	1	0:47:03	6/22/2012
313867 (ROLLINS, BEVERLY)	6/27/2012	6/27/2012	52	2:21:03	6/27/2012
309634 (Boggan, Greg)	6/4/2012	6/4/2012	1	0:59:10	6/4/2012
359860 (Heard, Carl)	7/18/2012	6/11/2012	11	3:43:44	6/27/2012
547355 (Boyette, Lindsey)	6/13/2012	6/12/2012	2	0:48:22	6/12/2012

553398 (Robinson, Micheala)	7/3/2012	7/2/2012	4	0:41:05	7/3/2012
337336 (DYKES, DEBRA)	7/20/2012	7/17/2012	45	10:07:50	7/20/2012
574086 (Schneider, Doug)	6/27/2012	6/27/2012	2	0:35:19	6/27/2012
370829 (Kervin, Neal)	7/18/2012	7/18/2012	1	0:24:00	7/18/2012
323256 (Foote, Sandra)	6/8/2012	6/8/2012	2	2:40:03	6/8/2012
338242 (PORTER, PATRICIA)	6/11/2012	6/11/2012	1	1:26:27	6/11/2012
370595 (Stokes, Leona)	6/28/2012	6/28/2012	1	2:09:28	6/28/2012
567169 (Watson, Melvin)	7/11/2012	7/11/2012	1	0:51:38	started
tempeffiney (Green, Effiney)	7/20/2012	6/13/2012	8	1:16:03	started
453116 (Kelly, Alecia)	7/19/2012	6/20/2012	12	5:12:52	started
537981 (Cummings, Nikie)	7/12/2012	6/19/2012	7	7:10:06	started
510439 (DRIVER, DELORIS)	6/28/2012	6/26/2012	3	1:34:45	started
323058 (BROWN, FANNIE)	7/18/2012	6/20/2012	2	1:39:06	started
549716 (Fields, Deondrial)	6/27/2012	6/27/2012	2	0:34:10	started
385781 (FRANKLIN, ORA)	7/23/2012	7/18/2012	2	1:38:33	started
383503 (Bailey, Linda)	7/20/2012	7/19/2012	3	4:03:39	started
541955 (Odom, Robert)	6/13/2012	6/13/2012	2	0:29:32	started
438535 (Bowden, Sheila)	6/27/2012	6/13/2012	2	1:07:09	started
420551 (HOSKINS, ASHANTI)	7/18/2012	6/20/2012	6	1:13:04	started
486244 (RANGE, LESLIE)	7/16/2012	7/13/2012	2	0:29:58	started
386661 (Ballard, Peggy)	7/18/2012	7/18/2012	1	0:57:36	started
470368 (Eddleman, Martha)	6/13/2012	6/13/2012	2	1:32:05	started
323192 (ATKINSON, BETTYE)	6/21/2012	6/13/2012	2	0:50:38	started
508531 (Patrick, Christina)	7/18/2012	7/18/2012	1	0:23:26	started
383745 (Franks, Janis)	6/20/2012	6/20/2012	1	0:27:04	started
tempindia (Backstrom, India)	6/20/2012	6/20/2012	1	0:20:59	started
498814 (Ayodele, Thomas)	6/22/2012	6/22/2012	3	1:48:53	started
441887 (SELLERS, BRENDA)	6/18/2012	6/15/2012	2	0:34:03	started
339967 (ARMSTRONG, LEE)	7/20/2012	6/20/2012	4	2:33:53	started
322018 (SIEGEL, DIANA)	6/18/2012	6/18/2012	2	1:55:47	started
539174 (Moore, Tamara)	6/13/2012	6/13/2012	1	0:37:55	started
481769 (Smith, Gina)	6/19/2012	6/19/2012	1	0:12:33	started
547179 (Wilkinson, Amy)	7/13/2012	6/27/2012	2	0:22:47	started
338835 (HARALSON, DANIEL)	7/18/2012	7/18/2012	1	0:27:13	started
443354 (Hosey, Phil)	7/24/2012	7/23/2012	2	0:33:17	started
455167 (EASON, FRANK)	6/20/2012	6/15/2012	3	0:47:14	started
545100 (Norwood, James)	6/20/2012	6/20/2012	1	0:31:35	started
557520 (Jones, Veronica)	6/20/2012	6/20/2012	1	0:24:00	started
temperin (Rhodes, Erin)	6/27/2012	6/27/2012	1	0:22:56	started
314894 (FULLER, CONSTANCE)	7/4/2012	7/4/2012	1	0:26:13	started
444324 (Clark, Gina)	7/18/2012	7/17/2012	2	0:43:18	started
temprosalynw (Woods, Rosalyn)	7/23/2012	7/19/2012	3	2:59:01	started
452827 (Johnson, Lillie)	6/26/2012	6/26/2012	3	1:57:04	started

327674 (LOFTON, TERRY)	6/27/2012	6/27/2012	1	0:24:26	started
525228 (Cobb, Yanilka)	7/3/2012	7/3/2012	1	0:26:45	started
templiz (Waltman, Liz)	6/27/2012	6/13/2012	3	1:19:36	started
382895 (CURLEE, BARBARA)	7/11/2012	7/5/2012	3	3:41:21	started
541288 (Lyles, Rodney)	6/27/2012	6/27/2012	1	0:32:55	started
336339 (Seals, Mattie)	7/18/2012	6/13/2012	7	1:30:19	started
348891 (HUDDLESTON, FELECIA)	6/26/2012	6/19/2012	5	1:35:19	started
tempdiane (Dudley, Diane)	7/18/2012	7/18/2012	1	0:41:59	started
548228 (Brown, Triconya)	6/20/2012	6/20/2012	1	0:14:23	started
420216 (Plunkett, Tonya)	7/18/2012	7/18/2012	1	0:08:12	started
329854 (WOLF, LITA)	7/20/2012	7/16/2012	12	0:19:54	started
376498 (MCKINZIE, SHARON)	7/18/2012	7/18/2012	1	0:19:46	started
361056 (Hall, Sandra)	6/13/2012	6/13/2012	1	0:12:12	started
330597 (Tillis, Felicia)	6/27/2012	6/15/2012	2	0:52:14	started
386384 (Chism, Betty)	6/20/2012	6/20/2012	1	0:32:12	started
350412 (TERRELL, DIANNE)	7/23/2012	7/23/2012	1	1:25:09	started
541908 (Course, Cassundra)	6/13/2012	6/13/2012	2	0:15:45	started
522070 (Jones, LaQuetta)	6/14/2012	6/14/2012	1	1:00:27	started
323879 (GRIFFIN, JOHNNIE)	6/20/2012	6/19/2012	1	0:00:00	started
525230 (Fowler, Caroline)	6/20/2012	6/20/2012	1	0:01:50	started
371769 (EUBANKS, CAROLYN)	6/20/2012	6/20/2012	1	0:41:54	started
328151 (COHEN, LAQUITA)	6/21/2012	6/21/2012	1	0:00:25	started
469126 (Klamm, Richard)	6/27/2012	6/27/2012	1	0:02:06	started
549265 (Taylor, Catherine)	7/3/2012	7/3/2012	7	0:30:27	started
557895 (Prine, Kathleen)	7/11/2012	7/11/2012	1	0:01:37	started

Users Accessed: 352; Average Duration: 01:41:04; Users Completed: 291; Average Score: 86

## 21. MDES Sexual Harassment Policy

### STATEMENT OF PURPOSE

The Mississippi Department of Employment Security is committed to providing a professional working environment free from harassment for all individuals. It is important that MDES maintain an atmosphere characterized by respect for every individual's right to be free from harassment in the workplace, and to be free from unwelcome verbal or physical conduct of a sexual nature. In addition, the agency will respond promptly to complaints from employees and or customers regarding harassment by anyone in the workplace. MDES has zero tolerance for workplace sexual harassment.

Sexual harassment is a form of sex-based employment discrimination under Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination on the basis of race, color, sex, religion, or national origin. The Equal Employment Opportunity Commission (EEOC) has defined sexual harassment as "unwelcome sexual advances, request for favors, and other verbal or physical conduct of a sexual nature." There are various forms of sexual harassment that may include, but are not limited to, off-color or suggestive language, jokes or pranks, teasing, requests for sexual favors, touching the body, suggestive looks, propositions, innuendoes and the display of derogatory pictures, posters, cartoons or drawings, emails, or other media, other physical or verbal conduct of a sexual nature by supervisors or others in the workplace. Consequently, sexual harassment is conduct that is unbecoming to a Mississippi Department of Employment Security employee or customer.

The EEOC Guidelines on Sexual Harassment provide that unwelcome sexual conduct constitutes sexual harassment when submission to such conduct is made explicitly or implicitly, a term or condition of an individual's employment, including hiring, compensation, promotion or retention.

Sexual harassment may also exist when such conduct by an employee unreasonably interferes with another employee's work performance or creates an intimidating, hostile or abusive work environment.

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, which fails to respect the rights of others, that lowers morale and interferes with work effectiveness.

### PROCEDURES

An employee who believes that he/she has been the victim of sexual harassment is strongly encouraged to immediately tell the harasser to refrain from such conduct or activity. The complainant should immediately report the matter to the appropriate supervisor or use the appropriate complaint procedures as outlined in the Equal Opportunity Handbook.

Inquiries and/or complaints will be investigated immediately and confidentially under the auspices of the Equal Opportunity Department. The Equal Opportunity Department is the main contact point for questions or concerns about sexual harassment. MDES is committed to ensuring that all investigations of sexual harassment are conducted in a prompt, thorough, and impartial manner.

Investigations will be handled as confidentially as possible. MDES is committed to take action if it learns of possible sexual harassment; *even if the individual does not initiate a formal complaint*. In no event will information concerning complaints of sexual harassment be released to third parties or to anyone within the MDES who is not involved with the investigation. If the investigation reveals that a complaint is valid, prompt measures, designed to stop the harassment and prevent its recurrence will be taken.

Any employee who has been determined by an impartial investigation to harass another employee or beneficiary of the agency's services will be subject to appropriate disciplinary procedures up to and including termination.

A non-employee who subjects an employee of the agency to sexual harassment in the workplace will be informed of the agency's harassment policy. Other actions may be taken where appropriate.

## RESPONSIBILITIES OF EMPLOYEES

All employees are responsible for helping to ensure that the workplace is kept free of sexual harassment. An employee who believes that he/she has been sexually harassed is encouraged to inform the offender that the offense is unwelcomed and should not be repeated. If the individual chooses not to confront the offender orally, they may do so in writing. If the harassment continues after the offender has been told the action is unwelcomed the matter should be reported to the appropriate supervisor and the Equal Opportunity Department. In the event that the offense is made by a member of management, senior, legal or executive personnel, the matter should be reported to the Equal Opportunity Department immediately. In the event that a member of the Equal Opportunity Department commits the offense, the matter is to be reported to the MDES Office of Legal Affairs.

Failure to promptly report incident(s) to the Equal Opportunity Department may be considered a violation of policy and may result in disciplinary action. Individuals are expected to be cooperative, honest and truthful when involved in an investigation. Failure to cooperate or provide truthful information during an investigation is grounds for disciplinary action.

## RESPONSIBILITIES OF MANAGEMENT

MDES will provide sexual harassment training to all of its employees. Each manager and supervisor is responsible for making sure that all employees within their area of responsibility are aware of this policy. This action is intended to assure that all personnel decisions are in accordance with this policy. Managers and supervisors are responsible for initiating prompt confidential and appropriate corrective actions, when improper behavior is observed or reported.

More importantly, supervisors are expected to create a climate for all employees within the agency that precludes sexual harassment. Supervisors must be sensitive to what constitutes sexual harassment and eliminate the behavior as it occurs. Supervisors and employees are expected to promptly report all incidents to the Equal Opportunity Department to assure that the matter is handled in accordance with MDES expectations.

## RESPONSIBILITIES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY

The Mississippi Department of Employment Security is committed to eliminating sexual harassment in the workplace by providing continued training, investigating complaints of sexual harassment and taking appropriate corrective action if violations occur.

Managers and supervisors will remain vigilant to observe and identify acts of sexual harassment by or against individuals under their supervision and will take immediate corrective action. Additional training and or review of agency policies is expected to ensure compliance of the agency's commitment to a harassment free workplace.

All complaints of sexual harassment should receive the immediate attention of the supervisor or manager to whom it is made and should be reported immediately to the Equal Opportunity Department.

In the event the complaint is related to a Workforce Investment Act (WIA) of 1998, the Equal Opportunity Department will inform the complainant of the one hundred and eighty (180) day limitation for filing a formal charge with the Equal Employment Opportunity Commission (EEOC) or the U.S. Department of Labor's Civil Rights Center (USDOL/CRC). The Mississippi State Personnel Board complaint procedure requires oral initiation of discussion within seven (7) days of the occurrence. In the case of "widespread harassment," after consultation with the Mississippi State Personnel Board's (MSPB's) Director of Administrative Services, the complainant may file a complaint directly with the Employee Appeal Board within fifteen (15) days.

Investigation of a complaint of sexual harassment will include conferring with the parties and witnesses named by the complainant or alleged harassment. Because of its sensitive nature, complaints of sexual harassment shall be investigated with particular care and shall remain, to the extent possible, confidential.

All employees are to understand that sexual harassment is unlawful, subject to legal actions, and can lead to punitive actions against the offender(s).

## STATEMENT OF UNDERSTANDING AND EXPECTATION

The Mississippi Department of Employment Security recognizes that the question of whether a particular action or incident is purely personal or a social relationship without a discriminatory employment effect requires a factual determination based on all of its circumstances.

Given the nature of this type of discrimination, the agency also recognizes that false accusations of sexual harassment can have serious effects on innocent individuals. Therefore, it is expected that as a condition of employment with the agency, all employees will act in a responsible manner to establish and maintain a pleasant working environment, free of discrimination.

The Mississippi Department of Employment Security encourages any employee or beneficiary to raise questions regarding sexual harassment or sex discrimination with the Equal Opportunity Department.

Any employee or beneficiary who believes he or she is a victim of sexual harassment by an employee of the Mississippi Department of Employment Security should promptly take the following steps:

1. Be aware of your rights.
2. If you believe you have been sexually harassed, go to your immediate supervisor, office manager, department head, or equal opportunity liaison. If circumstances prohibit this action, report the behavior to the Equal Opportunity Department, either orally or in writing, stating the specific details of the sexually harassing behavior (i.e. record of dates, incidents, and possible witnesses).
3. The time frame for filing a charge with the Equal Opportunity Department, U.S. Department of Labor, Civil Rights Center or the Equal Employment Opportunity Commission is within (180) one hundred and eighty calendar days. The Mississippi State Personnel Board requires complaints to be filed within seven (7) days of the alleged harassment.

#### COMPLAINT RESOLUTION IN THE WORKFORCE INVESTMENT NETWORK

Any individual who believes that she/he has been harassed or wrongfully accused may elect to pursue resolution in the following manner:

1. **Mediation:** Mediation is an informal way to resolve the workplace problem using a trained mediator who facilitates communication between the parties to the dispute.
2. **Grievance:** A permanent state service employee, a probationary employee in a state service position, or a non-state service employee in, or applicant for, an authorized employment position in an agency which employs state service employees may grieve alleged acts of discrimination based on sex (sexual harassment is a form of discrimination based on sex) in any personnel action or employment practice.
3. **United States Department of Labor – Civil Rights Center (CRC):** The complainant has the right to file a complaint with the CRC if she/he is not satisfied with the resolution provided by the agency. A complaint alleging discrimination must be filed within 180 days of the alleged act of discrimination. The Director, CRC, for good cause shown, may extend the time for filing.



## DESIGNATION OF EQUAL OPPORTUNITY DEPARTMENT

The MDES has appointed Dovie Reed as the Equal Opportunity Officer. The Equal Opportunity Department has been assigned the responsibility to investigate and/or mediate complaints, which allege violation of federal nondiscrimination laws. The Equal Opportunity Department may be contacted at the following address:

1235 Echelon Parkway  
P. O. Box 1699  
Jackson, MS 39215-1699  
Phone: 601-321-6024  
Fax: 601-321-6037  
Email: [dreed@mdes.ms.gov](mailto:dreed@mdes.ms.gov)  
Email: [eo@mdes.ms.gov](mailto:eo@mdes.ms.gov)

This policy statement shall be placed at all local and state office buildings and will be available to other public and private entities upon request.

## 22. Excerpt from MDES contract from General Counsel with the Office of Legal Affairs

### X. Nondiscrimination and Equal Opportunity Provisions

- A. The CONTRACTOR must not illegally discriminate in determining who will be registered into or have access to any contract activity or in making employment decisions.
- B. The CONTRACTOR assures that it will comply fully with nondiscrimination and equal opportunity provisions in:
- WIA Section 188 which prohibits discrimination against all individuals on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief or on the basis of either citizenship or status as a lawfully admitted immigrant authorized to work in the United States;
  - Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, or national origin;
  - Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
  - The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age;
  - Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs; and
  - Executive Orders 13198 and 13279, which provide for equal treatment in Department of Labor programs for faith-based community organizations, protection of religious liberty, and limitation on employment of participants; and
  - Applicable State of Mississippi laws and directives.
- C. Private employers, state, and local governments, employment agencies, and labor unions shall comply with the American with Disabilities Act of 1990. This legislation prohibits discrimination against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment.

An employer is required to make an accommodation to the known disability of a qualified applicant or employee if it would not impose an “undue hardship” on the operation of the employer’s business. An employer is not required to lower quality or production standards to make an accommodation, nor is an employer obligated to provide personal use items such as glasses or hearing aids.

### XI. Financial Management, Reports, and Record Keeping

The CONTRACTOR shall comply with all MDES, State of Mississippi, Office of Management and Budget (OMB), and DOL rules, regulations, circulars, policies, and procedures on financial management for all contract expenditures. The CONTRACTOR shall ensure that its financial management systems provide the necessary internal controls, accounting records, and reporting systems to meet generally accepted accounting standards and comply with the applicable OMB uniform cost principles for the type of entity receiving the funds.

## **23. Excerpt from the Directory of Elected Officials, Business Leaders of the Minority Community and Faith- Based and Community Organizations**

### **AMORY/ABERDEEN**

Barrentine, Reverend J.O. Cook, L. C.  
303 North Franklin Street  
Route 3 Box 163 C  
Aberdeen, MS 39730  
662-369-8377 662-369-6260

Bell, Cecil, Mayor  
City of Aberdeen  
125 Commerce Street  
Aberdeen, MS 39730  
662-369-4165

Bell, Reverend Preston C.  
Retired Educator  
501 Locust Street Aberdeen, MS 39730  
662-369-2093

Brown, Reverend Eddie  
St. James United Methodist Church  
1072 F. Avenue  
Amory, MS 38821

Calvert, Reverend Sam  
713 Vine Street  
Aberdeen, MS 39730  
662-369-8953

Carr, Perry  
705 West Canal Street  
P. O. Box 536  
Aberdeen, MS 39730  
662-369-9577

Clay, Sanford  
Principal, Retired Educator  
724 High Street  
Aberdeen, MS 39730  
662-369-6241

Cook, Willie - Alderman,  
City of Aberdeen  
P. O. Box 478  
Aberdeen, MS 39730  
662-369-9156

Cloyd Garth  
Alderman, City of Aberdeen  
310 S. James Street  
Aberdeen, MS 39730  
662-369-5734

Carouthers, Laura  
Director Human Services  
P. O Box 788  
Aberdeen, MS 39730  
662-369-2872

Clay, Reverend Joe W.  
726 High Extension  
Aberdeen, MS 39730

Coleman, Josephine  
Director, Tutoring Program  
P. O. Box 167  
Aberdeen, MS 39730

Cooperwood, Roger  
403 North Long Street  
Aberdeen, MS 39730  
662-369-2015 Office  
662-369-6185

Fluker-Reed, Dr. Lavon  
Superintendent Aberdeen Schools  
P. O. Box 607  
Aberdeen, MS 39730  
662-369-4682

Darden, George  
1075 F. Avenue  
Amory, MS 38821

Darden, John  
Alderman, City of Amory  
400 110<sup>th</sup> Street  
Amory, MS 38821  
662-256-9417

Dilworth, Kermit  
Retired School Teacher  
600 West Short Street  
Aberdeen, MS 39730  
662-369-2655

Dilworth, Sheryl  
Monroe County Welfare Department  
300 Front St. S  
Amory, MS 38821

Donaldson, Eddie  
Route 1 Box 425  
Prairie, MS 38746  
62-369-8056

Evans, Jr., James E.  
614 South Columbus Street  
Aberdeen, MS 39730  
662-369-4682

Ghoston, Robert Lee  
112 110<sup>th</sup> Street North  
Amory, MS 38821

Gunn, W. Howard, Attorney  
113 1/2 Commerce Street  
P. O. Box 157  
Aberdeen, MS 39730  
662-369-8533  
662-369-9843

Humphrey, Callie  
Aberdeen Water Dept.  
P. O. Box 817  
Aberdeen, MS 39730

Plant, Reverend Willie C.  
200 Park Street  
Aberdeen MS 39730  
662-369-4419

Raspberry, Eldora  
Sunrise Saving Club  
Route 1 Box 386  
Nettleton, MS 38858  
662-256-8715

Sims, W.R & Bonnie  
P. O. Box 67  
Aberdeen, MS 39730  
662-369-8343

Stegall, Evelyn  
Beauty Operator  
701 111<sup>th</sup> Street  
Amory, MS 38821  
662-256-2353

Sykes, Alonzo  
Alderman, City of Aberdeen  
1113 Elk Circle  
Aberdeen, MS 39730  
662-369-7705

Sykes, Lagrone  
Monroe County District 5 Supervisor  
30015 Central Grove Road  
Nettleton, MS 38858  
662-257-6035

Sykes, Walter  
Police Chief, City of Aberdeen  
125 W. Commerce Street  
Aberdeen, MS 39730  
662-369-6454

Walls, Ernestine  
911 112<sup>th</sup> Street  
Amory, MS 38821  
662-256-7882

Wilshire Clay  
Monroe County District 4 Supervisor  
P. O. Box 383  
Aberdeen, MS 39730  
662-369-4820

## JACKSON

Calvin Cuning  
EEOC Senior Investigator  
McCoy Federal Building  
100 West Capitol Street  
Jackson, MS 39269  
601-965-4537

Patrick, Dr. John  
Pastor, Greater Northside MB Church  
1553 Wiggins Road  
Jackson, MS 39209  
601-922-4166

Peyton, Ann  
Office Vo-Tech Education, Bureau Director  
Central High School Suite 263  
P. O. Box 771  
Jackson, MS 39205-0771  
601-359-3089

Pickett, Reverend Dwayne  
Pastor, New Jerusalem Christian Preschool & After School Care  
1285 Raymond Road  
Jackson, MS 39204  
601-371-6772 601-371-2539

Polk, Reverend Charles  
St. Luther Baptist Church, Pastor  
1040 Banks Street  
Jackson, MS 39203  
601-922-2444 601-355-2433

Porter, Herman  
Alpha Phi Alpha Fraternity, Inc., President  
P. O. Box 3216  
Jackson, MS 39212

Pridgen, Reverend Joseph  
Mt. Zion Church of Christ Holiness, USA, Pastor  
5510 Turner Avenue  
Jackson, MS 39209  
601-922-9042

Pullum, Art  
AAP Staff Services, Owner  
6424 Lakeover Road  
Jackson, MS 39213  
601-366-9501

Ramsey, Henrietta  
Adult Volunteer Coordinator United Way  
843 North President  
Jackson, MS 39202  
601-354-1765

Reed, Dovie  
State WIA EO Officer, MDES  
1235 Echelon Parkway  
P. O. Box 1699  
Jackson, MS 39213-1699  
601-321-6024

Robinson, John  
Boy Scouts of America  
855 Riverside Drive  
Jackson, MS 39209  
601-948-6111 or 601-981-3005

Robinson, Jennifer  
Operations Analysis  
P. O. Box 1850  
Jackson, MS 39215-1850

## MISSISSIPPI ASSOCIATION OF COMMUNITY ACTION AGENCIES EXECUTIVE DIRECTORS

AJFC Community Action (NP)  
Mr. Lamar A. Braxton, Executive Director  
1038 N. Union St.  
P. O. Box L  
Natchez, MS 39120  
(601) 442-8681 Fax (601) 442-9572



Bolivar County Community Action Agency (NP)  
Ms. Eleanor Littleton, Executive Director  
810 E. Sunflower Rd.  
Cleveland, MS 38732  
(662) 846-1491 Fax (662) 843-0173

Central Mississippi, Inc. (NP)  
Ms. Tela Collins, Executive Director  
101 S. Central Avenue  
P. O. Box 749  
Winona, MS 38967  
(662) 283-4781 Fax (662) 283-2352

Coahoma Opportunities, Inc. (NP)  
Mr. Edward Seals, Executive Director  
313 Issaquena  
Clarksdale, MS 38614  
(662) 624-4887 Fax (662) 624-4115

Hinds County Human Resource Agency (NP)  
Mr. Ken Cockrell, CEO  
39212 Maddox Rd.  
P. O. Box 39225  
Jackson, MS 39212-2657  
(601) 923-3930 Fax (601) 923-3925

Lift, Inc. (NP)  
Mr. Robert Lowdermilk, Executive Director  
94 S. Thomas St.  
Tupelo, MS 38803  
(662) 842-9511 Fax (662) 842-5575

Multi-County Community Service Agency, Inc. (NP)  
Mrs. Kellie Cole, Executive Director  
2900 St. Paul Street  
P. O. Box 905  
Meridian, MS 39302  
(601) 483-4838 Fax (601) 482-9862

Northeast Mississippi Community Service (NP)  
Mr. Steve Gaines, Executive Director  
801 Hatchie Street  
P.O. Box 930  
Booneville, MS 38829  
(662) 728-2118 Fax (662) 728-8720

Pearl River Valley Opportunity (NP)  
Mr. Helmon Johnson, Executive Director  
756 Hwy 98 Bypass  
P. O. Box 188  
Columbia, MS 39429  
(601) 736-9564 Fax (601) 736-6268

Prairie Opportunity, Inc. (NP)  
Mr. Laura A. Marshall, Executive Director  
501 Hwy 12 W, Suite 110  
Starkville, MS 39760  
(662) 323-7932 Fax (662) 323-8754

Southwest MS Opportunity, Inc. (NP)  
Mr. William Franklin, Executive Director  
223 3<sup>rd</sup> Street  
P. O. Box 1667  
McComb, MS 39648  
(601) 684-5593 Fax (691) 249-3669

Sunflower-Humphreys Counties Progress (NP)  
Ms. Louise Bradford, Executive Director  
414 Martin L. King  
P. O. Box 908  
Indianola, MS 38751  
(662) 887-5655 Fax (601) 887-4888

United Community Action Committee (NP)  
Ms. Willie R. Daughtery, Executive Director  
120 Ripley Street, Box 338  
Ashland, MS 38603  
(662) 224-8912 Fax (662) 224-8142

Warren-Washington-Issaquena-Sharkey Community Action Agency  
Ms. Jean-Marie Hill, Executive Director  
1165 S. Raceway,  
P. O. Box 1813  
Greenville, MS 38702  
(662) 378-8663 Fax (662) 332-5292

Ms. Wilma Scott, Jackson Area Director  
Equal Employment Opportunity Commission  
100 W. Capitol Street, Suite 207  
Jackson, MS 39269  
800-669-4000

## 24. Example of Local WIN participation in area Job Fair and Career Day activities.

# WINning in the Delta

Delta Workforce Investment Area  
South Delta Planning and Development District

May, 2012

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**Veterans, Families and Friends Job Fair Held**

**WIN Job Centers Promote Awareness in Community**

**Veterans' Representative Named**

**Clarksdale Success Story Shared**

**Coahoma County Students Prepare for Workplace**

**Sunflower-Humphreys Report Activities**

**South Panola Tells**

## Delta Launches E-Newsletter

We've done it! Our first E-newsletter. We're saving trees, saving paper, saving ink, saving postage. We are still in the process of entering email contacts so if you know of someone who needs to be added to our mailing list, please let us know. We welcome your feedback and comments. Special thanks to Andy Ellis at Delta Council for his advice and assistance!

## DWIA Board Meeting Held at Finch-Henry Job Corps Center

The Delta Workforce Investment Area Board meeting was held at the Finch-Henry Job Corps Center in Batesville on April 19. Cordella Smith, Center Director, introduced campus student body president, Deonate Blachard, who presented Mitzi Woods, WIA Director, with a plaque of appreciation.



Finch-Henry is ranked number 18 of the 123 job corps centers in the country. In the Atlanta Region comprising 19 centers, Finch-Henry is the #2 center and according to a student satisfaction survey, the Batesville center is the highest scoring in the nation with a score of 99.9 %. The rating for Finch-Henry is 100% in outcome measurement, the Career Technical Training ranking is #2 in the nation, the GED attainment rate is 100%.

## Activities

### South Panola Tells Accomplishments

## DATES TO REMEMBER

**Belzoni Job Fair  
June 14, 2012**

**DWIA Board  
Meeting in  
Clarksdale June  
21, 2012**

**Northwest  
Mississippi Area  
Job Fair in  
Batesville June 28,  
2012 from 9:00  
a.m. - 2:00 p.m.**

**SETA Annual  
Conference: Biloxi  
at the Beau Rivage  
September 30-Oct.  
3, 2012**

**South Delta  
Planning and  
Development  
District is an equal  
opportunity  
employer/program.**

a student satisfaction survey, the Batesville center is the highest scoring in the nation with a score of 99.9 %. The rating for Finch-Henry is 100% in outcome measurement, the Career Technical Training ranking is #2 in the nation, the GED attainment rate is currently 100%, and students donated over 600 hours in community services in the last quarter

Students from the culinary arts class, Gabrielle Butler, Nichole Fitzgerald, Justin Weems, Gena White, Nakebra Collins, and Babrielle Collins, prepared and served lunch to board members and guests.

Bunky Butler, DWIA Board Chairman, thanked the students and said, " Most of us had no idea there was a facility like this in the area. It is very impressive."

## Veterans, Families and Friends Job Fair Held

Six employers and fifty-one job seekers attended the Veterans, Families and Friends Job Fair at the Greenville WIN Job Center on March 20th. Veteran representatives, Ken Oberlee and Larry Harris, organized the event to assist returning veterans with job searches. "We are delighted with this participation," stated Oberlee.

Employers participating in this event were: Harlow's Casino, The Arkansas Department of Corrections, USG, Woodmen of the World, K-Mart, and the Greenville Police Department. Larry Harris said, "We expect 40 hires from today."

Pictured are: Ken Oberlee, Reshita Spencer, HR Representative from Harlow's, and Larry Harris.



## WIN Job Centers Promote Awareness in Community

On February 7th, Tarvose Johnson represented the Greenwood WIN Job Center at MS Valley State University's Annual Career Fair. Johnson conducted mock interviews to MVSU students and provided them with vital resources offered at the WIN Job Center.

Laquita Cayson Smith conducted a Job Search Skills Training workshop on February 23rd for residents of the Snowden Jones Apartment complex. Attendees were provided tips on resume' writing, interviewing skills and WIN Job Center services.

Elmer O'Neal participated in the Durant Public School Career Fair and shared information with the students about the services provided at the Lexington WIN Job Center.

Toris Williams, Greenwood WIN Job Center Branch Manager, said, "Part of our job is to ensure that our communities are aware of what is going on at our WIN Job Centers and our staff does just that. We consider it an honor when we receive a request from a local business or school. It provides us the opportunity to enlighten our stakeholders of the many free services offered right here."

William B. Haney,  
Jr., Executive  
Director,

Mitzi Woods, WIA  
Director

Anne Hart Preus,  
Editor, Rapid  
Response  
Coordinator

Chuck Herring,  
Small Business  
Developer

Barbara Humphrey,  
Youth Coordinator

Sharon Johnson,  
Executive  
Secretary

Ralph Jones, MIS  
Specialist

Jackie Roberts,  
Adult Programs  
Coordinator

staff does just that. We consider it an honor when we receive a request from a local business or school. It provides us the opportunity to enlighten our stakeholders of the many free services offered right here."

## Veterans' Representative Named

James Willis is the new veterans' representative at the Batesville WIN Job Center. Willis is from Grenada and was in the Army National Guard until 2009. He served a year in Iraq in 2005. "I took the job because it is a chance to help vets get a job," Willis said. "Making connections and learning ways to handle different situations creates challenges. I had my first homeless vet and tried to find him food. I contacted a church that feeds the homeless. I enjoy this job and hope to do it for a awhile. I like helping Vets build skills to find a job," Willis concluded.

Greg Amos, Customer Operations Supervisor for the Delta, said, "We are very pleased to have James in Batesville. He will be sure that our Veterans are provided the services they need."



James Willis and Greg Amos

## Clarksdale Success Story Shared

Chris Walk from Clarksdale has had quite a journey. For a while, things were bleak, but now he is a part time welding instructor at Coahoma Community College three days a week, employed as a part-time welder four days a week at KBH and is a part-time student at Coahoma Community College majoring in automotive collision repair.

After being laid off from his job as a welder, Chris visited the Clarksdale WIN Job Center. He had some welding skills but lacked the credentials to compete in the workforce. He wanted to upgrade his skills and obtain a certificate in welding to get a good paying job.

good paying job.

With the encouragement of Helen Dickerson, Employment Interviewer, Chris enrolled in the welding program at Coahoma Community College and received an Individual Training Account (ITA) to pay for training. Upon completing the welding program, Chris was offered a teaching position in the same classroom where he had perfected his welding skills. He then secured employment as a welder at KBH and is working twenty-five hours a week.

"My long range goal is to own my own auto body repair shop and I can use my welding skills and do auto body work," Chris said. "I appreciate Ms. Dickerson and the WIA funding for the opportunity."



Chris Walk and Helen Dickerson

## YOUTH NEWS AND VIEWS

### Coahoma County Students Prepare for Workplace

Jonathan Butler, Youth Advocate for the Clarksdale WIN Job Center, talked to students at Coahoma County High School about applications, interviewing, and writing resumes'. He highlighted what they should do for their first job interview-including what to wear, how to conduct themselves at an interview and how to apply for a job. He also spoke about what was needed for an interview and the services provided by the WIN Job Center.

Pictured below are the students with Butler at Coahoma County High School.





## Sunflower-Humphreys Counties Progress, Inc. Report Activities



L. to R.: Jaki Powell, Jr., Chasity Brown, Casey Coleman and Nicholas Hudson and back: Jonathan Wilson serve as volunteers at the Indianola City League basketball games.

Five participants, Latarius Howard, Natishea Williams, Latasha Henderson, Crystal Ross and Courtney Shaw, received their GED's.

The Senior SELECT students participated in the Indianola Community Garden groundbreaking ceremony where they planted trees and will be helping to grow healthy foods in Indianola. The garden is sponsored by Delta Health Alliance, Inc.

## South Panola Tells Accomplishments

Eight participants have recieved their GED's: Ja'Nae Butler, Ariel Caine, Courtney Caine, Courtney Foster, Richard Williams, Rashad Hunt, Tyler Bell, Andres Tyler Knight and Crystal House. "We are very proud of our students and their hard work in getting their GEDs," said Patricia Gleeton, DWIA Project Director.



Courtney Foster, Richard Williams, Rashad Hunt, Tyler Bell, Andres Tyler Knight and Crystal House. "We are very proud of our students and their hard work in getting their GEDs," said Patricia Gleeton, DWIA Project Director.

Mercedes Brown has been attending Delta Technical College in Horn Lake, MS and is studying to be a dental assistant. She is scheduled to graduate on August 15, 2012. Mercedes is presently completing her practicum at the North Mississippi Community Dental Clinic located in Batesville under the supervision of Dr. Clara E. Tomlinson. "Mercedes is certainly a success story. She has worked hard to continue her education after attaining her GED at South Panola and has assured her success in life by working toward a degree. We are very proud of her," said Teresa Helmes.



Mercedes Brown is completing her practicum.



## 25. LEP Policy and Procedures

# Limited English Proficient (LEP) Individuals Policy Statement and Procedures

### INTRODUCTION

Most individuals living in Mississippi read, write, speak and understand English. There are many individuals, however, for whom English is not their primary language. For instance, according to the 2000 census, 95,525 individuals above the age of five speak a language other than English (**Attachment I-Table 1: Ability to Speak English by Language Spoken at Home**). Spanish or Spanish Creole total 50,515 of the 95,525 individuals and 10,825 individuals included in the 95,525 number are French (including Patois and Cajun). If these individuals have a limited ability to read, write, speak, or understand English, they are limited English proficient (LEP).

Language for LEP individuals can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by federally assisted programs and activities. The Mississippi Department of Employment Security (MDES) provides an array of services that can be made accessible to otherwise eligible LEP persons. MDES is committed to improving the accessibility of these services, programs and activities to eligible LEP persons. Recipients of federal financial assistance have an obligation to reduce language barriers that can preclude meaningful access by LEP persons to important services, programs and activities.

The regulations implementing Section 188 require the Governor of every state recipient of WIA-Title I financial assistance to establish and adhere to a Methods of Administration (MOA). Further, the regulations require that the MOA include a description of how the state programs and recipients have satisfied the specified requirements of the Section 188 implementing regulations, including the obligation to provide services and information in appropriate languages under the circumstances outlined in 29 CFR 37.35. Although the regulatory language differs, the obligations of recipients to provide accessibility by LEP persons to DOL financially assisted programs and activities are the same under Title VI and Section 188. On August 11, 2000, Executive Order 13166 was issued “Improving Access to Services for Persons with Limited English Proficiency,” and the policy guidance 65 FR 50121 was issued August 16, 2000.

Under that Order, every federal agency that provides financial assistance to non-federal entities must publish guidance on how their recipients can provide meaningful access to LEP persons and thus comply with the Title VI regulations forbidding funding recipients from “restricting an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program” or from “utilizing criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program as respects individuals of a particular race, color, or national origin.”

## COVERED ENTITIES

Department of Labor (DOL) regulations, 29 CFR part 31, require all recipients of federal financial assistance from DOL to provide meaningful access to LEP persons. Federal financial assistance includes grants, training, and use of equipment, donations of surplus property, and other assistance. Recipients of DOL assistance include, for example:

- A. State-level agencies that administer, or are financed in whole or in part with, WIA Title I funds;
- B. State Workforce Agencies;
- C. State and local Workforce Investment Boards;
- D. Local workforce investment areas (local areas) grant recipients;
- E. One-Stop Career Center operators;
- F. Service providers, including eligible training providers and youth service providers;
- G. On-the-Job Training (OJT) employers;
- H. Job Corps contractors and center operators;
- I. Job Corps national training contractors;
- J. Outreach and admissions agencies, including Job Corps contractors that perform these functions;
- K. Other national program recipients.

## LIMITED ENGLISH PROFICIENCY (LEP) PROCEDURES TO IDENTIFY LEP INDIVIDUALS AND TO PROVIDE LEP SERVICES TO THESE INDIVIDUALS

- A. When an individual comes into the local office to apply:

Determine the primary language of the individual. If other than English, use the “I Speak” language identification posters to determine the primary language (**Attachment II**);

Inform the LEP individual that interpreter services are available at no cost to the individual using the “I Speak” posters. In addition, each local office must post notices in multi languages in the reception and waiting areas informing the public of the availability of free interpreter services (**Attachment III**).

- B. If an individual cannot understand verbal or written English, use one of the following options to access interpreter services:

Local Area or WIN Job Center community based partner interpreters. It is suggested that each local area and WIN job center have a list of interpreters for its service area.

Language Line Interpreter Service. LEP individuals may also be assisted through use of the Language Line. Contact the individual in the office who is designated to access the Language Line to arrange for the service.

- C. If the individual wants to use another individual to interpret for him/her, contact an approved interpreter, to sit in on the interview. Explain to the individual that an approved interpreter is used even though he/she has another interpreter to ensure all the information, questions and responses are interpreted correctly and without bias.
- D. Documents deemed "vital" to the access of LEP persons to programs and services may often have to be translated. Whether or not a document (or the information it contains or solicits) is "vital" may depend upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner. Vital documents could include: consent and complaint forms, intake forms with potential for important health consequences, written notices of eligibility criteria, rights, denial, loss, or decreases in benefits or services, actions affecting parental custody or child support, and other hearings, notices advising LEP persons of free language assistance, written tests that do not assess English language competency, but test competency for a particular license, job or skill for which knowing English is not required, or applications to participate in a recipient's program or activity or to receive recipient benefits or services.

Each recipient/covered entity **SHOULD** review all documents, forms, etc to determine need for translation. If a form is identified as needing translation into another language, forward the form to the Equal Opportunity Department directly by email to [eo@mdes.ms.gov](mailto:eo@mdes.ms.gov) or mail Attention: Dr. Dovie Reed, State WIA EO Officer, 1235 Echelon Parkway, Jackson, MS 39213.

- E. Document in the Limited English Proficient (LEP) Telephone Log when interpreter services are used. Documentation should include:

- Location (WIN Job Center, Call Center, etc),
- Date,
- Time Call Started,
- Time Call Ended,
- Call Duration,
- Individual Making Call

- Participant/Registrant/Client;
- What language requested; and
- Reason for the service, such as application or recertification interview, interim communications, or translation of forms or other written material.

It is important that the usage of LEP services is entered on the LEP Telephone Log as the information is used to identify what LEP services are needed for the WIN Job Center, Local Workforce Investment Area, etc. Copies of the LEP Telephone Log should be sent via email to [eo@mdes.ms.gov](mailto:eo@mdes.ms.gov).

## COMPLAINTS

Any person who believes that, either he/she, or any specific class of individuals, has been or is being subjected to discrimination prohibited by the nondiscrimination and equal opportunity provision as set forth in Federal statutes and regulations, may file a written complaint, either by him/herself or through a representative.

The complainant may file with either the Local Area or the Mississippi Department of Employment Security as applicable, or with the USDOL CRC (Federal). Filing a complaint with the Local Area or MDES does not affect a complainant's right to file a complaint with the CRC if he/she is not satisfied with the resolution provided by the Local Area or MDES.

### STATE

Dr. Dovie Reed, Dir. Equal Opportunity Dept .  
Mississippi Dept. of Employment Security  
1235 Echelon Parkway  
P.O. Box 1699 Jackson  
Mississippi 39225-1699  
601-321-6024  
TTY-1-800-582-2233  
TTY-1-800-582-2233  
[eo@mdes.ms.gov](mailto:eo@mdes.ms.gov)

### FEDERAL

U. S. Department of Labor  
Civil Rights Center  
200 Constitution Ave  
Room N-4123  
Washington, D. C. 20210  
202-219-7026  
TDD-202-219-7003

Complaints alleging discrimination must be filed within 180 days of the alleged discriminatory act. The Director, CRC, for good cause shown, may extend the time for filing.

In addition, employees of the State of Mississippi may file complaints with the Mississippi State Personnel Board at 301 North Lamar Street, Jackson, Mississippi 39201, within seven days of the alleged discrimination.

The Mississippi Department of Employment Security is an equal opportunity employer.  
Auxiliary aids and services are available upon request to individuals with disabilities.  
Those people needing TTY assistance may call 800-582-2233.

## 26. Optimal Phone Interpreters for Foreign Languages in Excerpt from MDES Equal Opportunity Handbook

### HELPFUL LINKS

1. Links to interviewing or conversing with people with disabilities.
  - [Interviewing a person using Mobility Aids](#),
  - [Interviewing a person with Vision Impairments](#),
  - [Interviewing a person with Speech Impairments](#),
  - [Interviewing a person who is Deaf or Hearing Impaired](#).
2. The [Americans with Disabilities Act Accessibility Guidelines](#) is a publication designed to help standardize the access requirements necessary to comply with the Americans with Disabilities Act. This and other relevant publications can be found at this site:  
<http://www.access-board.gov/pubs.htm>

Many WIN Job Centers who have received an ADA assessment of their facilities have seen their recommendations include the suggestion that they procure a copy of the ADAAG. This site makes that document available online.
3. This site is the Department of Labor's site for information pertaining to the Americans with Disabilities Act: <http://www.dol.gov/odep/topics/ADA.htm>
4. This federal website at the DOL site offers a helpful toolkit for increasing employment among people with disabilities: <http://www.dol.gov/odep/federal-hire/>
5. [http://www.cityofsacramento.org/ADAWEB/learning\\_about\\_disabilities.htm#Interviewing%20a%20person%20using%20Mobility%20Aids](http://www.cityofsacramento.org/ADAWEB/learning_about_disabilities.htm#Interviewing%20a%20person%20using%20Mobility%20Aids)
6. <http://www.sanantonio.gov/publicworks/dao/>
7. <http://www.sanantonio.gov/publicworks/dao/etiquettehandbook2011.aspx>
8. SkillPort Course for MDES employees: "Understanding the Americans with Disabilities Act"
9. Link for Interpreter resources:  
[http://deafness.about.com/gi/o.htm?zi=1/XJ&zTi=1&sdn=deafness&cdn=health&tm=28&gps=290\\_1701\\_965\\_713&f=00&su=p284.13.342.ip\\_&tt=2&bt=1&bts=1&zu=http%3A//www.odhh.org/resources.php%3Fpg%3Dresources%26catid%3D6](http://deafness.about.com/gi/o.htm?zi=1/XJ&zTi=1&sdn=deafness&cdn=health&tm=28&gps=290_1701_965_713&f=00&su=p284.13.342.ip_&tt=2&bt=1&bts=1&zu=http%3A//www.odhh.org/resources.php%3Fpg%3Dresources%26catid%3D6) (This link is to a directory at the Office of the Deaf and Hard of Hearing in Jackson, Mississippi.)

10. See also <http://insider/Pages/Equal-Opportunity-Forms.aspx> for a similar directory on the Insider. This copy of the Registry of Interpreters is less current, but contains phone numbers for easier and more immediate contact.
11. A phone number for a foreign language interpreter:  
MDES uses Optimal Interpreter Services to interpret for people whose first language is something other than English. Their toll-free phone number is:  
**1-877-746-4674**

Any MDES employee who uses the Optimal Service Line needs to record all interpreter calls on the Interpreter Log Sheet, also found in the Appendices of this handbook.

## 27. Spanish LITE Proposal and annual ROI.

### LITE (Local Interviewers Translating Easily) Spanish

**The Problem:** As an agency committed to Equal Opportunity as defined by federal law, MDES seeks to deliver employment services to all Mississippians, regardless of their native language. In our efforts to deliver services to Spanish-speaking individuals, we have engaged the services of an outside vendor who offers interpreter services for our interviewers, at an annual cost of \$60K-\$70K. The cost is high, but the cost of hiring an interpreter would be even higher. [*See Appendix I: Optimal Interpreter Costs 2010-2011*]

**The Proposal:** In an effort to reduce the cost of the delivery of Spanish language services, this project seeks to equip non-Spanish-speaking interviewers with a method of communication that enables them to speak basic Spanish phrases without the need for formal language study.

**The Pilot:** The project will initially employ one person with minimal Spanish-speaking skills, and train that person to use a prepared script designed to gather information from a Spanish-speaking claimant and facilitate the completion of an Initial Unemployment Claim, weekly certification, or basic instructions on claim maintenance. [*See Appendix II: Spanish Intake Script, and Appendix III: Spanish Weekly Certification Script.*]

**The Program-Stage One:** Initial implementation will involve the creation of a script, rehearsals with the Pilot-Interviewer, script revision and trial phone calling to Hispanic claimants.

**The Program-Stage Two:** General routing of all Intake and Weekly Certification Spanish calls to the LITE Interviewer. Monitoring of the call quality and associated costs and cost savings. [*See Appendix IV: Referral Procedure for Call Center Customer Service Representatives.*]

**The Program-Stage Three:** Expansion of LITE Recruitment and Training to other locations throughout the agency, based on need and cost analysis.

#### THE PILOT

Beginning in March of 2011 a supervisor at the MDES Call Center began recruiting several interviewers in an effort to identify the best candidate to serve as the LITE Interpreter. A relatively new interviewer had both the basic exposure to Spanish, and also had the desire to participate in the new program. He began using the “Spanish Intake Script,” which was created using “Google Translate,” a free and freely available online translation tool, and began talking to a limited number of Spanish-speaking claimants. In all but one of the test cases, the Interviewer was able to deliver ES services to the Spanish-speaking claimants without the need for a paid interpreter.

The Interviewer’s prior Spanish experience involved a Spanish school course he had taken several year ago. His basic pronunciation was good and unhesitating, if a bit slower than a native speaker. His vocabulary included little more than basic numbers, days of the week, months of the year, and a half-dozen initial conversational responses, such as, “Buenos Dias,” “Como se llama,” or “Donde es...” (Good day, How are you, and Where is..., respectively).

Our premise in using the script was the hope that, when the LITE Interviewer began using it repeatedly, he would first speak without understanding, then speak with increasing understanding, and, finally, speak with total understanding. The Interviewer has reported that the premise was very accurate in his case. He began the project by pronouncing words that were, for the most part, meaningless to him; but he began to understand those words quickly, and he even began to use that newfound vocabulary in his own verbal constructions with claimants. Furthermore, the Interviewer's daily use of Spanish conversation has both motivated him to pursue more learning on his own time, and also made that learning easier because of his constant use of the language.

He also reports that his initial nervousness has almost completely subsided, and with it, most of the stilted and awkward mannerisms that characterized his initial conversations with claimants.

## THE PROGRAM: STAGE ONE

After taking several initial customer calls with close supervision, the LITE Interviewer began taking referrals from other interviewers in the call center. After approximately one month of taking a limited number of calls, he began taking calls from all the CSR/Interviewers in both call centers. At present, the Interviewer makes two to four Spanish language calls per day. During the month of July 2011, he logged approximately 800 minutes of Spanish language calls, at an assumed savings of over \$1300.00, since those minutes were not charged to the outside Interpreter Service. Our projection is that the total minutes per month will increase significantly as more calls are transferred to the LITE Interpreter for processing.

During the initial month of limited referrals comprising State One, all the Intake CSRs in the Interviewer's call center were instructed to refer their Spanish-speaking calls to him, via email.

There have been several revisions of the scripts, both the Initial Claim script and the weekly certification script, based on the responses of the claimants listening to the script. The Interviewer, on his own initiative, consulted his own Hispanic friend who gave several useful suggestions for rephrasing and idiomatic improvements more readily understood by our specific immigrant population.

The result has been a smooth transition from usual anxious reaction to a Spanish-speaking caller, to a confident reaction when the CSRs realize they can transfer those calls quickly and efficiently.

## THE PROGRAM: STAGE TWO

After monitoring the call volume from our limited referral program, we began instructing all CSRs in both call centers to refer their potential Intake and Certification calls to the LITE Interviewer. After two weeks of referrals, the LITE Interviewer has been able to accommodate the additional calls into his schedule, making the return calls nearly always the same day they are referred.



We will continue to monitor the number of calls, the length of calls and the assumed cost by using the same rate formula used by the outside interpreter service. We will also compare our current call volume to previous years to identify any helpful patterns in the level and nature of customer calls.

#### THE PROGRAM: STAGE THREE

Once the call center is established and we have amassed enough data to evaluate its effectiveness, we will begin looking at other offices to measure the potential advantages to using a LITE program in those offices. Our criteria will be:

1. The number of Spanish-speaking claimants likely to make use of that office.
2. The availability of a CSR/Interviewer willing to learn and make use of the scripts.
3. The support of the management at the local level.
4. The projected savings potential for the particular office.

*Optimal Spreadsheet for 2010-2012 Expenditures:*

## ACTUAL COSTS PER MONTH

MONTH	2010 CALL CENTER COST	2010 GROSS CHARGES		2011 CALL CENTER COSTS	2011 GROSS CHARGES	ANNUAL SAVINGS	% SAVINGS
JANUARY	\$7,033.92	\$7,182.27		\$3,958.45	\$3,990.58	\$3,075.47	43.72%
FEBRUARY	\$5,978.84	\$6,374.93		\$4,685.19	\$5,111.11	\$1,293.65	21.64%
MARCH	\$6,762.82	\$7,308.78		\$5,309.15	\$5,686.87	\$1,453.67	21.50%
APRIL	\$5,412.60	\$6,215.66		\$5,529.67	\$5,865.00	-\$117.07	-2.16%
MAY	\$5,280.57	\$5,620.56		\$4,682.00	\$4,843.86	\$598.57	11.34%
JUNE	\$5,173.32	\$5,396.32		\$4,814.73	\$5,322.90	\$358.59	6.93%
JULY	\$4,114.46	\$4,670.80		\$2,814.05	\$2,942.52	\$1,300.41	31.61%
AUGUST	\$4,756.20	\$5,171.11		\$3,117.67	\$3,333.93	\$1,638.53	34.45%
SEPTEMBER	\$4,591.77	\$5,143.53		\$2,100.55	\$2,583.50	\$2,491.22	54.25%
OCTOBER	\$4,693.42	\$4,797.90		\$1,916.92	\$2,102.54	\$2,776.50	59.16%
NOVEMBER	\$5,860.67	\$6,144.76		\$2,202.84	\$2,549.48	\$3,657.83	62.41%
DECEMBER	\$6,114.41	\$6,881.49		\$1,002.34	\$1,841.02	\$5,112.07	83.61%
TOTALS	\$65,773.00	\$70,908.11		\$42,133.56	\$46,173.31	\$23,639.44	35.94%

MONTH	2011 CALL CENTER COST	2011 GROSS CHARGES		2012 CALL CENTER COSTS	2012 GROSS CHARGES	ANNUAL SAVINGS	% SAVINGS
JANUARY	\$3,958.45	\$3,990.58		\$1,163.14	\$1,454.60	\$2,795.31	70.62%
FEBRUARY	\$4,685.19	\$5,111.11		\$0.00	\$1,300.95	\$4,685.19	100.00%
MARCH	\$5,309.15	\$5,686.87		\$684.80	\$1,191.13	\$4,624.35	87.10%
APRIL	\$5,529.67	\$5,865.00		\$581.66	\$1,023.58	\$4,948.01	89.48%
MAY	\$4,682.00	\$4,843.86		\$487.32	\$997.08	\$4,194.68	89.59%
JUNE	\$4,814.73	\$5,322.90		\$368.53	\$413.18	\$4,446.20	92.35%
JULY	\$2,814.05	\$2,942.52		\$191.21	\$313.82	\$2,622.84	93.21%
AUGUST	\$3,117.67	\$3,333.93		\$339.10	\$373.03	\$2,778.57	89.12%
SEPTEMBER	\$2,100.55	\$2,583.50		\$166.44	\$350.28	\$1,934.11	92.08%
OCTOBER	\$1,916.92	\$2,102.54				\$1,916.92	100.00%
NOVEMBER	\$2,202.84	\$2,549.48				\$2,202.84	100.00%
DECEMBER	\$1,002.34	\$1,841.02				\$1,002.34	100.00%
TOTALS	\$42,133.56	\$46,173.31		\$3,982.20	\$7,417.65	\$38,151.36	90.55%

## **28. MDES Nondiscrimination and Equal Opportunity Policy Statement**

The Mississippi Department of Employment Security (MDES) is committed to developing, implementing and maintaining a policy of nondiscrimination and equal opportunity as provided for under the Workforce Investment Act of 1998 (WIA). The provisions contained in section 188 of WIA prohibits discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in a WIA Title I-financially assisted program or activity.

The “Mississippi Comprehensive Workforce Training and Education Consolidation Act of 2004” establishes MDES as the lead Executive Agency in The Mississippi Workforce Development System. As the lead agency, MDES is committed to assuring a uniform policy of nondiscrimination and equal opportunity across the workforce development system. The Mississippi Workforce Development System includes partnerships with the following:

- A. Four Local Workforce Investment Areas,
- B. Business Leaders, and
- C. The following state agencies:
  - 1. Mississippi Development Authority (the state’s economic development agency),
  - 2. Department of Rehabilitative Services,
  - 3. Department of Human Services,
  - 4. Mississippi Community College Board
  - 5. State Board of Education, and
  - 6. Institutions of Higher Learning.

It is the policy of MDES to comply with Federal statutes and regulations implementing nondiscrimination and equal opportunity requirements:

- A. Title VI of the Civil Rights Act of 1964, as amended.
- B. Section 504 of the Rehabilitation Act of 1973, as amended.
- C. Section 508 of the Rehabilitation Act of 1973, as amended.
- D. Age Discrimination Act of 1975, as amended.
- E. Title IX of the Education Amendments of 1972, as amended.

- F. Section 167 of the Job Training Partnership Act, as amended.
- G. Section 188 of the Workforce Investment Act of 1998.
- H. Americans with Disabilities Act of 1990, as amended.
- I. Title VII, Civil Rights Act of 1964, as amended.
- J. Equal Pay Act of 1963, as amended.
- K. Executive Order 11246-Equal Employment Opportunity and Affirmative Action Guidelines for Federal Contractors Regarding Race, Color, Gender, Religion, and National Origin.
- L. Executive Order 13166-Improving Access to Services for Persons with Limited English Proficiency.
- M. Title 28 CFR Part 35. Nondiscrimination on the Basis of Disability in the State and Local Government Services.
- N. Title 29 CFR Part 31. Nondiscrimination in Federally-assisted programs of the Department of Labor, effectuation of Title VI of the Civil Rights Act of 1964.
- O. Title 29 CFR Part 32. Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Assistance.
- P. Title 29 CFR Part 33. Enforcement of Nondiscrimination on the Basis of Disability in Programs or Activities conducted by the Department of Labor.
- Q. Title 29 CFR Part 34. Implementation of the Nondiscrimination and Equal Opportunity Requirements of the Job Training Partnership Act of 1982.
- R. Title 29 CFR Part 35. Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the Department of Labor; Final Rule.
- S. Title 29 CFR Part 37. Implementation of the Nondiscrimination and Equal Opportunity provisions of the Workforce Investment Act of 1998.
- T. Title 29 CFR Parts 2 and 37. Workforce Investment Act-Equal Treatment in Department of Labor Programs for Faith-Based Community Organizations; Protection of Religious Liberty, and Limitation on Employment of Participants.

In accordance with the regulations that implement the nondiscrimination and equal opportunity provisions of the Workforce Investment Act of 1998 (WIA) Section 188-Nondiscrimination, published at 29 Code of Federal Regulations (CFR) Part 37, MDES establish and adhere to a

Methods of Administration (MOA). The MOA is the document that describes the actions MDES takes to ensure that WIA Title I-financially assisted programs, activities, and recipients are complying, and will continue to comply, with the nondiscrimination and equal opportunity requirements of WIA and its implementing regulations. The MOA is in writing, continuously reviewed and updated, signed by the Governor, and approved by the U.S. Department of Labor Civil Rights Center (USDOL CRC). The MOA assures that MDES, its workforce development system partners and sub recipients will not, directly or through contractual, licensing, or other arrangements, on a prohibited ground (race, color, religion, sex, national origin, age, political affiliation or belief, and for beneficiaries only, citizenship or participation in any WIA Title I-financially assisted program or activity):

- A. Deny an individual any aid, benefits, services, or training provided under a WIA Title I-funded program or activity;
- B. Provide to an individual any aid, benefits, services, or training that is different, or is provided in a different manner, from that provided to others under a WIA Title I-funded program or activity;
- C. Subject an individual to segregation or separate treatment in any matter related to his or her receipt of any aid, benefits, services, or training under a WIA Title I-funded program or activity;
- D. Restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any aid, benefits, services, or training under a WIA Title I-funded program or activity;
- E. Treat an individual differently from others in determining whether he or she satisfies any admission, enrollment, eligibility, membership, or other requirement or condition for any aid, benefits, services, or training provided under a WIA Title I-funded program or activity;
- F. Deny or limit an individual with respect to any opportunity to participate in a WIA Title I-funded program or activity, or afford him or her an opportunity to do so that is different from the opportunity afforded others under a WIA Title I-funded program or activity;
- G. Deny an individual the opportunity to participate as a member of a planning or advisory body that is an integral part of the WIA Title I-funded program or activity; or
- H. Otherwise limit on a prohibited ground an individual in enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving any WIA Title I-financially assisted aid, benefits, services, or training.

MDES prohibits discrimination on the ground of race, color, religion, sex, national origin, age, disability, or political affiliation or belief in employment practices in the administration of, or in connection with (1) Any WIA Title I-financially assisted program or activity; and (2) Any program or activity that is part of the One-Stop delivery system and is operated by a One-Stop

partner to the extent that the program or activity is being conducted as part of the One-Stop delivery system.

Any person who believes that, either he/she, or any specific class of individuals, has been or is being subjected to discrimination prohibited by the nondiscrimination and equal opportunity provision as set forth in Federal statutes and regulations, may file a written complaint, either by him/herself or through a representative. The complainant may file with either the Local Area or the Mississippi Department of Employment Security as applicable, or with the USDOL CRC (Federal). Filing a complaint with the Local Area or MDES does not affect a complainant's right to file a complaint with the CRC if he/she is not satisfied with the resolution provided by the Local Area or MDES.

#### **STATE**

Dr. Dovie Reed, EO Officer, State WIA EO Officer  
Department of Employment Security  
1235 Echelon Parkway  
P.O. Box 1699  
Jackson, Mississippi 39225-1699  
601-321-6024  
TTY-1-800-582-2233  
TDD-202-219-7003  
[eo@mdes.ms.gov](mailto:eo@mdes.ms.gov)

#### **FEDERAL**

U. S. Department of Labor Mississippi  
Civil Rights Center  
200 Constitution Avenue  
Room N-4123  
Washington, D. C. 20210

Complaints alleging discrimination must be filed within 180 days of the alleged discriminatory act. The Director, Civil Rights Commission, for good cause shown, may extend the time for filing.

In addition, employees of the State of Mississippi may file complaints with the Mississippi State Personnel Board at 301 North Lamar Street, Jackson, Mississippi 39201, within seven days of the alleged discrimination.

The Mississippi Department of Employment Security is an equal opportunity employer.  
Auxiliary aids and services are available upon request to individuals with disabilities.  
Those people needing TTY assistance may call 800-582-2233.

## **29. MDES Disability Policy Statement**

### **POLICY STATEMENT FOR PERSONS WITH DISABILITIES**

The Mississippi Department of Employment Security (MDES) is committed to ensuring meaningful participation of people with disabilities in programs and activities operated by MDES, its workforce development system partners, and sub-recipients of financial assistance under the Workforce Investment Act of 1998 (WIA), including those that are part of the One-Stop delivery system. Section 188 of WIA ensures nondiscrimination and equal opportunity for various categories of persons, including persons with disabilities, who apply for and participate in programs and activities operated by recipients of WIA Title I financial assistance.

Other related and applicable statutes and regulations to WIA Section 188 are as follows:

#### **A. Employment**

1. Americans with Disabilities Act: Title I prohibits discrimination in the workplace against people with disabilities.
2. Section 503 of the Rehabilitation Act requires affirmative action and prohibits employment discrimination by Federal government contractors and subcontractors with contracts of more than \$10,000.
3. Section 188 of the Workforce Investment Act prohibits discrimination against people with disabilities in employment service centers funded by the federal government.

#### **B. State and Local Government Programs and Services**

1. Americans with Disabilities Act: Title II prohibits discrimination in the provision of public benefits and services (e.g. public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings).
2. Section 504 of the Rehabilitation Act prohibits discrimination on the basis of disability in programs conducted by federal agencies and in programs receiving federal financial assistance.

The United States Department of Labor Civil Rights Center has approved the Methods of Administration (MOA) that outlines the policies, procedures, and systems that are designed and put in place in order to provide a reasonable guarantee that MDES, its workforce development system partners, and sub-recipient will comply with the nondiscrimination and equal opportunity requirements of WIA Section 188 and its implementing regulations. The MOA identifies the basic disability-related requirements imposed by Section 188 and 29 Code of Federal Regulations (CFR) Part 37.

As defined in 29 CFR Part 37.4 Disability means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

MDES, its workforce development system partners, and sub-recipients prohibit discrimination in the registration for and the provision of aid, benefits, services or training, including core, intensive, training, and support services, on the basis of disability. MDES, its workforce development system partners, and sub-recipients are committed as follows:

### **REASONABLE ACCOMMODATION/ REASONABLE MODIFICATIONS OF POLICIES, PRACTICES AND PROCEDURES**

MDES, its workforce development system partners, and sub recipients make reasonable accommodation to the known physical or mental limitations of an otherwise qualified disabled applicant, employee or participant unless providing the accommodation would cause undue hardship. In addition, reasonable modifications are made regarding policies, practices, and procedures to individuals with disabilities.

### **ADMINISTER PROGRAMS AND ACTIVITIES IN THE MOST INTEGRATED SETTING APPROPRIATE**

MDES, its workforce development system partners, and sub recipients do not provide different, segregated, or separate aid, benefits, services, or training to individuals with disabilities, or to any class of individuals with disabilities, unless such action is necessary to provide qualified individuals with disabilities with aid, benefits, services or training that are as effective as those provided to others. WIA Title I-financially assisted programs and activities are administered in the most integrated setting appropriate to the needs of qualified individuals with disabilities. In addition, no qualified individual with a disability is denied the opportunity to participate in WIA Title I-financially assisted programs or activities despite the existence of permissibly separate or different programs or activities.

### **COMMUNICATE WITH PERSONS WITH DISABILITIES AS EFFECTIVELY AS WITH OTHERS**

MDES, its workforce development system partners, and sub recipients take appropriate steps to ensure that communications with beneficiaries, registrants, applicants, eligible applicants/registrants, participants, applicants for employment, employees, and members of the public who are individuals with disabilities, are as effective as communications with others. Appropriate auxiliary aids or services are furnished where necessary to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, the WIA Title I-financially assisted program or activity. Telecommunications devices for individuals with hearing impairments (TDDs/TTYs) or equally effective communications systems, such as telephone relay services are available. Interested individuals, including individuals with visual or hearing impairments, can obtain information as to the existence and location of accessible services, activities, and facilities.

### **PROVIDE PROGRAMMATIC ACCESSIBILITY FOR PERSONS WITH DISABILITIES**

MDES, its workforce development system partners, and sub recipients operate each program or activity, when viewed in its entirety, in a manner readily accessible to qualified disabled individuals. If a particular program is available in only one location, that site is made accessible or the program is made available at an alternative accessible site or sites. To comply with program accessibility non-personal aids are used to make the program accessible to mobility impaired persons.



## **PROVIDE ARCHITECTURAL ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES**

MDES, its workforce development system partners, and sub recipients select each facility or part of a facility constructed by, on behalf of, or for the use designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by qualified disabled individuals. Standards for architectural accessibility for physical accessibility are those prescribed by the General Services Administration under the Architectural Barriers Act at 41 CFR 101-19.6.

## **EMPLOYMENT PRACTICES**

MDES, its workforce development system partners, and sub recipients prohibit discrimination on the basis of disability in employment practices. In addition, reasonable accommodation is available upon request and when appropriate. The appropriateness of all job qualifications are reviewed to ensure that to the extent job qualifications tend to exclude disabled individuals because of their disability, they are related to the performance of the job and are consistent with business necessity and safe performance. When applying job qualifications in the selection of applicants, employees or participants for employment or training or other change in employment status such as promotion, demotion or training, which would tend to exclude disabled individuals because of their disability, the qualifications are be related to the specific job or jobs for which the individual is being considered and are consistent with business necessity and safe performance. Pre-employment inquiries and pre-selection inquiries regarding disability are limited.

Pre-employment and pre-selection inquiries are permissible if they are required or necessitated by another Federal law or regulation. In addition, an employer may ask applicants to voluntarily self-identify as individuals with disabilities for purposes of the employer's affirmative action program that is being undertaken pursuant to Federal, State, or local law, if the individual is clearly informed that (a) the information requested is for purposes of the affirmative action effort and (b) the information will be used in accordance with the provisions of Federal law governing the confidentiality of medical information. Furthermore, an employer may ask applicants to self-identify if it is voluntarily using the information to benefit individuals with disabilities.

Any person who believes that, either he/she, or any specific class of individuals, has been or is being subjected to discrimination prohibited by the nondiscrimination and equal opportunity provision as set forth in Federal statutes and regulations, may file a written complaint, either by him/herself or through a representative.

The complainant may file with either the Local Area or the Mississippi Department of Employment Security as applicable, or with the USDOL CRC (Federal). Filing a complaint with the Local Area or MDES does not affect a complainant's right to file a complaint with the CRC if he/she is not satisfied with the resolution provided by the Local Area or MDES.

**STATE**

Dr. Dovie Reed, EO Officer, State WIA EO Officer  
Mississippi Department of Employment Security  
1235 Echelon Parkway  
P.O. Box 1699  
Jackson, Mississippi 39225-1699  
601-321-6024  
TTY-1-800-582-2233  
[eo@mdes.ms.gov](mailto:eo@mdes.ms.gov)

**FEDERAL**

U. S. Department of Labor Civil  
Rights Center  
200 Constitution Avenue  
Room N-4123  
Washington, D. C. 20210  
202-219-7026  
TDD-202-219-7003

Complaints alleging discrimination must be filed within 180 days of the alleged discriminatory act. The Director, Civil Rights Commission, for good cause shown, may extend the time for filing. In addition, employees of the State of Mississippi may file complaints with the Mississippi State Personnel Board at 301 North Lamar Street, Jackson, Mississippi 39201, within seven days of the alleged discrimination.

*Revised 01/24/2012*

The Mississippi Department of Employment Security is an equal opportunity employer.  
Auxiliary aids and services are available upon request to individuals with disabilities.  
Those people needing TTY assistance may call 800-582-2233.

### 30. Sample ADA report



**Mississippi Department of  
Rehabilitation Services**

*Providing the freedom to live*

## ASSISTIVE TECHNOLOGY DIVISION

**Xxxxxx xx, 2012**

### **ACCESSIBILITY SURVEY FOR STATE BUILDING**

**NAME OF BUILDING:** XXXXXXXX WIN Job Center

**ADDRESS:** XXXXXXXX

XXXXXXX

**CONTACT PERSON:** xxxxx xxxxxxxxx, Office Manager

**DATE OF SURVEY:** xxxxxxxx xx, 2012

This report is prepared in compliance with the ADA Accessibility Guidelines for Buildings and Facilities, and follows the format of the Existing Facilities Checklist version 2.1.

When facilities, offices or equipment are utilized by resident or itinerate employees, clients or visitor with disabilities, “reasonable accommodations” shall be provided for them. Such “reasonable accommodations” include but are not limited to telephones with raised and enlarged numerals, lighted dials, amplifiers, TTY/ Video Phone equipment, raised or lowered furniture, power adjusted chairs and furniture, visual and audible alarms, hard floored surfaces, selective environmental controls, etc.

The Mississippi Department of Rehabilitation Services Assistive Technology Division provides information, materials, and technical assistance to individuals, agencies, and entities that are covered by the Americans with Disabilities Act (ADA). However, you should be aware that the Assistive Technology Division is not responsible for the enforcement of the ADA. The information, materials, and/or technical assistance are intended solely as informal guidance and are neither a determination of your legal rights or responsibilities under the Act, nor binding on any agency with enforcement responsibility under the ADA.

## FINDINGS & RECOMMENDATIONS:

Based on: Americans With Disabilities Act Accessibility Guidelines (ADAAG)

[www.access-board.gov/adaag/html/adaag.htm](http://www.access-board.gov/adaag/html/adaag.htm)

### A. Priority 1: Assessable Approach/Entrance

People with disabilities should be able to arrive on the site, approach the building, and enter the building as freely as everyone else. At least one path of travel should be safe and accessible for everyone, including people with disabilities.

#### Path of Travel (ADAAG 4.3, 4.4, 4.5, 4.7\*)

No problems noted.

#### Ramps (ADAAG 4.8\*)

N/A

#### Parking and Drop-Off Areas (ADAAG 4.3, 4.4, 4.5, 4.7\*)

It was noted that there are approximately Twenty Three (23) parking spaces with a gravel lot for over flow parking when needed. This number of parking spaces requires two (1) “handicapped” parking spaces. One of the parking spaces must be van accessible. See 4.1.2 (5a) and 4.6.3 – This criterion has been met.

### F208.2 Parking Spaces

Total Number of Parking Spaces Provided in Parking Facility	Minimum Number of Required accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8

## F208.2 Parking Spaces

Total Number of Parking Spaces Provided in Parking Facility	Minimum Number of Required accessible Parking Spaces
401 to 500	9
501 to 1000	2 percent of total
1001 and over	20, plus 1 for each 100, or fraction thereof, over 1000

ADAAG 4.6.4 says: “Accessible parking spaces shall be designated as reserved by a sign showing the symbol of accessibility. Spaces complying with 4.1.2(5) (b) shall have an additional sign ‘Van-Accessible’ mounted below the symbol of accessibility. Such sign shall be located so they cannot be obscured by a vehicle parked in the space.”

### Entrance (ADAAG 4.13, 4.14, 4.5\*)

The front of the building is flat to the front door and the threshold provides adequate space for wheelchair access; however, the doors do not meet the criteria for “closed fist” opening. A person who has limited use of his or her hands would have difficulty in independent building access. It was noted that the front desk has clear visibility of persons attempting to enter the building and could provide assistance if needed.

- NOTE \* POWER-ASSISTED DOOR OPENERS ARE NOT CURRENTLY REQUIRED BY ADA GUIDELINES OR BY THE CODE OF FEDERAL REGULATIONS, BUT THE MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES ENDORSES THEIR APPLICATION, WHEREVER PRACTICAL, IN ORDER TO ALLOW INDIVIDUALS WITH ALL TYPES OF DISABILITIES INDEPENDENT ACCESS TO THE FACILITY.

### B. Priority 2:

**Ideally, the layout of the building should allow people with disabilities to obtain materials or services without assistance.**

### Horizontal Circulation (ADAAG 4.3\*)

The accessible entrance provides direct access to the main floor and all public spaces are on an accessible route of travel and are at least 36 inches wide. No problems noted.

### Doors (ADAAG 4.13\*)

All doors within building are 36” wide. There is at least 18 inches of clear space on the pull side and doors can be opened with a maximum of 5 lbf. The door handles are less than 48 inches high and there are no thresholds. No problem noted.

### **Rooms and Spaces (ADAAG 4.2, 4.4, 4.5\*)**

All aisles to materials and services are at least 36" wide and fully accessible. No problems noted.

### **Emergency Egress (ADAAG 4.28\*)**

All emergency exits are clear of any obstructions and are fully accessible, having both flashing lights and audible signals.

### **Seats, Tables and Counters (ADAAG 4.2, 4.32, 7.2\*)**

Aisles between fixed seating are at least 36 inches wide. There are spaces for accessible seating distributed throughout. Tables and counters are between 28 and 34 inches high. Knee spaces at tables are at least 27 inches high, 30 inches wide and 19 inches deep.

The accessible work stations are fully accessible and will accommodate a person seated in a wheelchair.

### **Vertical Circulation**

N/A

### **Stairs**

N/A

### **Elevators**

N/A

### **Lifts**

N/A

### **C. Priority 3:**

**When restrooms are open to the public, they should be accessible to people with disabilities.**

### **Usability of Rest Rooms:**

### **Getting to the Rest Room (\*ADAAG 4.1\*)**

Both Male and Female accessible bathrooms are provided. No problems noted.

### **Doorways and Passages (\*ADAAG 4.2, 4.13, 4.30\*)**

There are Tactile signage identifying (accessible) rest rooms in all public areas of the building. Signs are mounted on the latch side of the door, not on the door itself, 56 inches from floor to centerline. No problems noted.

### **Stalls (\*ADAAG 4.17\*)**

Stall doors are operable with closed fist. The stall doors have 34" of opening. Each Stall has 60 by 60 inches of turn space for wheelchair access. No problems noted

### **Lavatories (\*ADAAG 4.19, 4.24\*)**

The lavatories have a 22-inch deep clear space in front. The lavatory rim is no higher than 34 inches. There is at least 28 inches from the floor to the bottom of the lavatories and faucets can be operated with closed fist. The paper towel dispensers are located at a height of 48 inches from floor at bottom of dispenser. No problems noted.

### **D. Priority 4:**

**When amenities such as drinking fountains and public telephones are provided, they should also be accessible to people with disabilities.**

### **Drinking Fountains (\*ADAAG 4.15\*)**

Drinking fountains are provided with at least 30 inches by 48 inches in front with spout no higher than 36 inches from the ground. A single wall mount type fountain is provided with push button controls located on both of the sides.

### **Telephone (\*ADAAG 4.31\*)**

Telephones at this facility are not available for public use, unless to conduct business that is applicable to the purpose of employment. A test telephone (TY) is installed in the facility. An appropriate TDD sign designated by the International TDD symbol is installed in a place that is visible to the general public.

### **Recommendation:**

TTY communications devices are very much outdated. Consider installing a more modern video phone in the place of the antiquated TTY.

### **COMMENTS:**

There are other areas besides physical accessibility that certain centers are required to be accessible, including computers software, facility website, information technology equipment (printers, copiers, fax, etc.) and information transaction machines.

It would also be in your best interest to purchase an \*ADAAG manual. This can be purchased by calling the ADA regulations center at 1-800-949-4232 or via the internet at

[www.access-board.gov/\\*ADAAG/html/\\*ADAAG.htm](http://www.access-board.gov/*ADAAG/html/*ADAAG.htm)

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Xxxxxx X. XXXXXXXXXXX, MS., CRC, ATP  
Rehabilitation Technologist  
Mississippi Department of Rehabilitation Services  
Assistive Technology Division

## 31. Memorandum of Understanding between MDES and MDRS

### MEMORANDUM OF UNDERSTANDING BETWEEN THE MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES & THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY CONCERNING IMPLEMENTATION AND ENFORCEMENT OF THE PROVISIONS OF THE WORKFORCE INVESTMENT ACT OF 1998 SECTION 188, SECTION 504, AND THE AMERICANS WITH DISABILITIES ACT

This Memorandum of Understanding (hereafter MOU) outlines a partnership between THE MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES (MDRS) and the MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY (MDES), entered into on **a voluntary, non-legally binding basis**, expressing a mutual agreement to work together in a positive spirit to continually improve the lifestyle, acceptance and accessibility of persons within the Mississippi Workforce Investment Network with a disability. This MOU will become effective upon execution by both parties, and will remain in effect until June 30, 2013.

#### **Background:**

The MDRS and the MDES have, over the years, demonstrated their commitment to persons with disabilities in many ways and in various programs. With the enactment of the Workforce Investment Act of 1998 and the Mississippi Comprehensive Workforce Training and Education Consolidation Act of 2004, a partnership was forged to ensure that all stakeholders in Mississippi's Workforce system are afforded the same services, rights, privileges and benefits. The goal is to continue to strengthen awareness of contributions in the workforce and society in general by people with disabilities.

#### **General areas of partnership:**

A major focus of the partnership is the obligation to eliminate discrimination on the basis of disability. The guiding principle in this partnership is to ensure that each individual with a disability participates in the most integrated setting appropriate to that individual.

The partnership agreement includes the following:

- MDES provides assurances that communication with persons with disabilities is as effective as with others – List of certified interpreters of Sign Language for the State of Mississippi (<http://www.odhh.org/interpreter-registration/>).
- MDES provides assurances that accessible computer workstations, including adaptive software, currently located in WIN Job Centers and the MDES State Office will be evaluated at the same time as all other computer workstations for the latest technology and software updates, and will install any needed upgrades as resources permit.
- MDRS performs Accessibility Surveys in WIN Job Centers and the MDES State Office to determine if there are any structural accessibility barriers that are architectural and/or communicational in nature, upon request and as MDRS resources and staff workload permits.
- MDRS provides limited general advice and guidance with assistive technology which allows equal access to information, services and activities within the Mississippi Workforce Investment Network to people with disabilities. MDRS will direct MDES and other partners in the State's



workforce network to other available resources for more in-depth advice and guidance pertaining to assistive technology. Other available resources include, but are not limited to, the following:

1. Job Accommodation Network (JAN), [askjan.org](http://askjan.org);
  2. Alliance for Technology Access (ATA) [ataccess.org](http://ataccess.org);
  3. Southeast ADA Center, [ADAsoutheast.org](http://ADAsoutheast.org).
- MDRS provides limited general advice and guidance regarding adaptive hardware and software used to accommodate disabilities. MDRS staff will answer general questions regarding computers and adaptive software. (Examples are workstation setup for adaptive software and hardware such as Screen Reader software (JAWS), Screen Magnification software (ZoomText), adaptive mice and keyboards and adjustable height desks.) More in-depth questions should be directed to other assistive technology resources such as those resources listed above or to vendors of assistive technology such as computers and adaptive software.
  - The partnership provides educational and outreach activities with the goal of improving quality of life for those with a disability and building awareness of those without disabilities.

## Other Terms and Conditions

**A. Termination.** Notwithstanding any other provision of this Agreement to the contrary, this Agreement may be terminated by either party within thirty (30) days written notice at any time during the performance period of this MOU.

**B. Amendment.** This MOU may not be amended or modified in any respect except by an instrument in writing signed by both parties hereto.

**C. Best Efforts.** MDES agrees to exert its best efforts in the performance of its obligations under this MOU. However, MDES disclaims any liability associated with the performance or non-performance of this MOU, or the consequences of any error or mistake on its part. Moreover, the execution by MDES of this MOU shall not be construed to create a cause of action for any party, whether public and/or private.

**D. Confidentiality.** The use or disclosure of any information deemed confidential under State or Federal law is prohibited, except to the extent necessary to administer the terms and conditions of this MOU, or to the extent required by law. In addition, any individual who is in possession of said information will take all necessary precautions to prevent disclosures to unauthorized individuals.

IN WITNESS WHEREOF, the parties here to have caused this MOU to be duly executed on the 21<sup>st</sup> day of February, 2012.

H.S. "Butch" McMillan  
Executive Director  
MDRS  
1281 Highway 51  
Madison, MS 39110  
Signature \_\_\_\_\_

Mark Henry  
Executive Director  
MDES  
1235 Echelon Parkway  
Jackson, MS 39213  
Signature \_\_\_\_\_

**32. WINGS Intake screen. Excerpt from WINGS User Manual, showing the demographic information collected and protected under username and password electronic protection.**

The screenshot displays the WINGS Reporting System interface for a user named Clark Duplichien at the GTR WIN Job Center. The interface shows a participant record for Sara Altenhoffer. The record is organized into several sections, each with a minus sign to collapse or a plus sign to expand the information. The sections include Personal Information, Contact Information, Additional Information, Academic History, Employment History, and Access MS Login Information. The Personal Information section is currently expanded, showing details such as Social Security Number, Date of Birth, Ethnicity, Employment Status, and US Citizen/Legally able to Work. A 'Print Resume' button is visible next to the '2 quick referrals available' indicator. Annotations provide instructions on how to interact with these elements: clicking the minus sign hides personal information, clicking the plus sign shows hidden information, clicking the 'Print Resume' button prints the participant's resume, and the '2 quick referrals available' indicator shows the number of jobs a participant can be referred to based on their skill-match.

Clicking the minus sign will hide **Personal Information.**

Clicking the plus sign will show hidden information.

Click here to add notes to a participant record.

Click here to view and print a participant résumé.

WINGS skill-matches the participant's academic and employment history with any available jobs. The number next to "quick referrals available" indicates how many jobs a participant can be referred to.

(See below for ACCESS intake screen)

ACCESS Intake screen. Excerpt from ACCESS User Manual, showing the demographic information collected and protected under username and password electronic protection. Second screen shows user protection.

**Personal Information**  
\* Required Information

- SSN: \*\*\*-\*\*-3333
- \* First Name: TOM
- Middle Initial:
- \* Last Name: THOMAS
- Other last name worked under since 01/01/2007:
- \* Date of Birth: 11 / 11 / 1960
- \* Gender: ☐ Male ☐ Female
- \* Race: -Select-
- \* Ethnicity: ☐ Not Hispanic / Latino ☐ Hispanic / Latino
- \* Are you a U.S. citizen? ☒ Yes ☐ No
- If No, provide following information:
  - Alien Document Type: -Select-
  - Document Number:
  - Expiration Date: MM / DD / YYYY
- Are you handicapped? ☐ Yes ☐ No
- \* Are you a military veteran, transitional veteran or spouse of a military veteran? ☐ Yes ☐ No
- \* Select the highest grade completed in school: -Select-

4. The online user will enter the required information and select "Submit". The Registration Confirmation screen will be displayed (Figure 6).

USR-012

Your registration was successful.

Welcome to MDES' Online Services.

To continue, Select [Login](#)

Figure 6: Registration Confirmation (USR-012)

USR-011

**New User Sign Up**  
\* Required Information












- \* Create User ID (Must be 6-30 characters that you can remember.):
- \* Create Password (Must be 8-12 characters that you can remember.):
- \* Confirm Password:

The following question will be used to reset your password if you forget it

- \* Security Question: -Select-
- \* Answer (Case sensitive):

**33. Excerpts from Internal Audit and Security Handbook and Disclosure of Confidential Information Policy and Policy on Physical Security of Information for Non-MDES Employees.**

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## **CONFIDENTIALITY OF INFORMATION**

### **DISCLOSURE OF INFORMATION**

Department information comes from employers, employees, claimants, applicants, and various other sources. Employees who handle confidential or sensitive information must exercise caution in the handling of such data. Each employee is liable for the confidentiality of the information to which he or she has access. Therefore, it is incumbent upon each employee to ask his or her supervisor or manager when unsure of what to do.

Information received from an employer, applicant or claimant must be held in confidence and must not be divulged to anyone not acting in an official capacity. Department files are not open to the public and any request for information must be handled in accordance with MDES Law sections 71-5-127 and 71-5-143 and Disclosure of Information Policy\*. Discussion of information from Department files with anyone not operating in an official capacity is not allowed. The use of this information for personal gain is prohibited.

As a general policy, no privileged information such as applicant, claimant, or employer data should be given over the telephone. All confidential information should be transmitted by mail or in person. In some cases, at the discretion of the manager or supervisor, when the caller can be positively identified by information normally known only by the claimant (i.e. date of birth, last employer, etc.) information relating to the caller may be given. No information shall be provided relating to a third person, even though it may be a relative. Remember that any inconvenience to a caller is for his/her privacy and protection.

**\* Disclosure of Information Policy explains MDES policy regarding the disclosure of confidential client information from Department records. A copy of the Disclosure of Information Policy is included in Appendix A-1 through A-4 of this handbook and on the Insider.**

## **INTERNAL SECURITY AUDITS AND REVIEWS**

THE FOLLOWING PAGES PROVIDE A BRIEF DESCRIPTION OF INTERNAL SECURITY AUDITS, REVIEWS, AND OTHER ACTIVITIES:

### **Audits and Reviews**

The Internal Security Unit (ISU) will plan, develop and conduct audits and reviews of state office and WIN Job Centers. Audits and reviews will be conducted as a part of an ongoing plan, as a result of some incident, or upon request. A report will be prepared at the end of each audit or review so that conditions discovered during the audit are brought to management's attention.

The following are instructions regarding audits and reviews:

Generally, every DOL funded activity is subject to review and/or audit on an announced or unannounced basis as the Director of ISU may determine. The potential for loss, previous findings, need for follow-up and other factors determine the type and frequency of visit. An audit may be concerned with one area, or may encompass the entire office operations.

All employees shall cooperate in the conduct of reviews, audits or investigations and shall provide information and assistance as requested.

#### **Multiple Claimants at Same Address Review**

ISU receives printouts indicating those addresses that receive multiple benefit checks (multiple claimants) in one day. If any payment appears suspect, ISU reviews the circumstances of the payment to determine if fraud or abuse may be involved. On occasion, it may be necessary to contact local office managers or supervisors to determine the reason multiple claimant benefit checks are all sent to the same address.

#### **Review of UI Security Codes**

When monitoring security codes, ISU monitors access to insure that transactions are restricted to those deemed necessary to the performance of the individual's job assignment. ISU also monitors each employee's termination to ensure that the employee's passwords and security codes are deleted.

#### **Network and CICS Access Security Review**

ISU monitors compliance with established departmental rules and regulations relating to computer terminal security. Much data available by terminals is designated as confidential by law; none is intended to be available to the general public. Active Directory is the first level of security. CICS Sign-On Security is the second level of security. A "MDES Network Access Request" form will have to be completed and accompanied by a signed Technology Resource Policy Acknowledgement form (attached) or a Non-MDES Confidential Information Policy Acknowledgement Form, whichever applies, for employees to access MDES Computer Network (Reference Executive Bulletin No. 05-16). Passwords must be held confidential and must not be disclosed to or used by anyone other than the person to whom issued. If a password is known to or suspected to have been improperly disclosed or used, the ISU should be contacted immediately by telephone. A "MDES Network Access Request" form must be completed and forwarded to Information Systems to change passwords. A copy of Executive Bulletin No. 05-16 is enclosed in Appendix A-5 through A-12 of this handbook.

### **COMPUTER SECURITY**

Information stored on a computer is particularly vulnerable to loss or destruction. Since much of this information is vital to the operation of MDES programs, it is very important to take every precaution for its protection.

No employee may access any department computer system without proper authorization. The WIN Job Center/Department manager is responsible for initiating any required forms and requesting your access to information.

#### **To Request Network and CICS Access**

To request authority to access the Network and CICS, your supervisor must submit a request to the Office of Technology Support. This request will be made using a "MDES Network Access Request" form. An example of this form is provided in Appendix A-12 of this handbook and the MDES Intranet. When completing the "MDES Network Access Request" form, your supervisor designates only the types of access necessary for the performance of your job responsibilities.

After receiving the request for access, Information Systems will contact you by letter to notify you of the User IDs, passwords, and security codes necessary to obtain access. Important information concerning passwords is covered in the following pages.

### **Security Codes**

A security code is used to identify you to the computer security system. It tells the system where you are, who you are, and to some extent what you do. **Your security code is a measure of security used to prevent unauthorized access and provide a record of computer use. Never allow another person to use your security code since audit trails record any transaction as your activity.**

### **Passwords**

A password is a confidential name that privately and positively identifies an employee to the computer security system. Instructions are issued by Information Systems. The employee creates his/her own CICS passwords every 64 days. You become personally accountable for its security. It should not be written down or shared with anyone. Your managers and/or supervisors are not authorized to know your password.

### **To Revoke Access**

It is the responsibility of managers and supervisors to take action to revoke the security codes and/or passwords of employees who have terminated employment with MDES or transferred to other departments, divisions, sections, units, offices, etc. This can be accomplished either by submitting Form “ISU-1” (see Appendix A-13 through A-14 for example) to ISU for terminations, or “MDES Network Access Request” form for transfers (See Appendix A-12) to Information Systems. If possible, this notification should take place prior to the employee’s last day of work in order to avoid unauthorized access.

\*\*\*\*\*

### **Changing your Password**

You should always request that your password be changed if at any time you feel it may be known or misused by others. You may contact ISU for instructions.

### **If you forget your Security Code or Password, Revoked or Locked out of System**

If you do not use the computer very often, you may find that you have forgotten one of your security codes or passwords. If this happens, you may contact Information Systems for assistance. You will be required to identify yourself on the telephone by giving your name, social security number, location and telephone number. You will be held accountable for any misuse of your security code and/or passwords. Information Systems can un-revoke CICS and unlock Active Directory passwords.

### **Risks/Safeguards**

The following list is intended to provide a generalized, basic listing of risks to the security of the Department’s computer system:

- ☞ Accidental destruction or modification of computerized information
- ☞ Deliberate, malicious destruction or modification of computerized information

- 🖥️ Erroneous input of data resulting in financial loss
- 🖥️ Violations of the Privacy Act, or other laws, regulations, rules
- 🖥️ Unauthorized access and/or disclosure of confidential data
- 🖥️ Fraudulent manipulation of the computer system for any reason
- 🖥️ Illegal collusion of employees with non-departmental or departmental personnel
- 🖥️ Illegal duplication of software
- 🖥️ Disk or diskette malfunction due to improper handling or lack of training
- 🖥️ Natural disasters such as fire, electrical storms, ice storms, tornadoes, etc.
- 🖥️ Power outages resulting in delays in processing and denials of service
- 🖥️ Computer viruses
- 🖥️ Using software not created by or purchased by the Department















Appropriate security measures will vary by location, type of work performed, and data sensitivity, etc. Therefore, managers, supervisors, and users are responsible for setting up appropriate safeguards to reduce the risk of loss. The following safeguards apply to mainframe, minicomputers, microcomputers, word processing systems, terminals, printers, etc.: (Additional precautions may be required for applications involved with higher levels of sensitivity.)

- 🖥️ To avoid misuse of terminals by unauthorized personnel, secure the information on the terminal prior to leaving the terminal by signing off the system. Also, take appropriate security precautions where terminals are within the physical proximity of the public.
- 🖥️ Remember that all software owned by the Department has specific licensing rights regarding its usage. Do not make unauthorized copies of software for either business or personal use. Do not use software of any kind from outside the Department without written authorization from your supervisor, IA&S & Information Systems.

## 11

- 🖥️ Department provided Personal Digital Assistants (PDA's) shall only be utilized in conjunction with Department PC's or laptops. Synchronization with home PC's or other non-departmental equipment is not allowed.
- 🖥️ Always log off at the end of the day or when you are away from your workstation for long periods of time. "CSSF Logoff".
- 🖥️ If confidential or sensitive information is stored on removable media such as tapes or diskettes, the media should be secured when your computer is not in use. If confidential or sensitive information is stored on fixed media such as a sealed disk drive, the computer system itself should be secured to prevent access to the information by unauthorized personnel.
- 🖥️ Magnetic media must be kept away from heat, dust, moisture or magnetic fields. If it is equipped with a protective cover, the cover should remain on during periods when not in use.



-  Protect all computer equipment from hazards such as smoke, food, or beverage. Keep all liquids away from equipment.
-  Tapes or diskettes, which contain sensitive information, should be labeled accordingly.
-  Exercise care in the storing and handling of tapes and diskettes. Never touch the recording surface.
-  Keep disks in protective envelopes and store them vertically in disk cases or boxes.
-  Protect storage media from extreme temperatures.
-  Do not fold, bend, staple, paper clip, or spring steel clamp diskettes.
-  Use felt pens; do not use ball point pens or pencils to write on labels affixed to diskettes.
-  Keep diskettes away from magnetic fields, such as magnetic screwdrivers, radios, TV's, electrical appliances, and telephones.
-  Lock up storage media in a container appropriate to the sensitivity of the data.
-  Establish a simple filing system to account for storage media.
-  Remember that passwords and security codes are confidential and must not be shared with anyone.
-  Critical information stored on the PC should always be backed up, using diskettes or other appropriate means.
-  Employees should be reminded that computer equipment of any description may not be removed from the workplace without proper written authorization.
-  Always use a power surge protector to protect equipment and data from loss due to a power surge. At a minimum, they provide additional outlets for your equipment. Surge protectors are available through the Supply Unit.

## 34. Sample Monitoring Report



### Mississippi Department of Employment Security

**Phil Bryant**  
**Governor**

Mark Henry  
Executive Director

Xxxxxx x, 2012

Xxxxxx WIN Job Center  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX

#### **Onsite Equal Opportunity/Nondiscrimination Review**

The onsite equal opportunity/nondiscrimination review was conducted at the Xxxxxx WIN Job Center on Xxxxxx, 2012, by Randy Langley of the Equal Opportunity Department (EOD). The Xxxxxx WIN Job Center is part of the Mississippi Partnership Workforce Investment Area (director, Gary Golden).

#### **Objective**

The objective of the onsite accessibility review was to ensure that the Workforce Investment Network (WIN) Job Center is in compliance with Section 188 of the Workforce Investment Act (WIA) of 1998 that prohibits discrimination by recipients of federal financial assistance on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in a WIA Title I-financially assisted program or activity. Any entity that receives federal financial assistance, either directly or indirectly, to administer a program or activity under WIA Title I is a recipient.

#### **Scope**

Areas of emphasis during the on-site review include, but are not necessarily limited to:

1. Staff composition;
2. Management and staff awareness of nondiscrimination and equal opportunity laws;
3. Complaint procedure and process awareness;
4. Physical aspects of the site – programmatic and architectural accessibility;
5. Observance of customer services functions;

6. Maintenance of Equal Opportunity (EO) policies and complaint files;
7. Display of announcements, mandatory WIA "Equal Opportunity is the Law" posters, and posters or signs for clients with limited English-speaking abilities;
8. Best Practices; and
9. Corrective Actions.

### Findings:

1. Staff composition:

Staff Positions	All Employees			White		Black		Amer. Ind. or Alaska Native		Asian		Nat. Hawaiian or Pac. Is.		Hispanic or Latino		Not Hispanic or Latino		Individual with a Disability	
	Total	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
ES-Office Manager II	1	1		1															
ES Employment Interviewer II	3		3				3												
NON-AGENCY																			
Rapid Response	1	1		1															
Workforce Dev	1	1		1															
ABE	2		2		2														
WIA Counselor	1		1		1														
Experience Works	1	1		1															
<b>TOTAL</b>	<b>10</b>	<b>4</b>	<b>6</b>	<b>4</b>	<b>3</b>	<b>0</b>	<b>3</b>												
<b>Percentage</b>	<b>100</b>	<b>40</b>	<b>60</b>	<b>40</b>	<b>30</b>	<b>0</b>	<b>30</b>												
2010 American Community Survey (ACS) – Lafayette County, MISS. Census Percentages		49.4	50.6	71.8		23.7		.3		2.1		.0		2.3		0.0		Not avail.	
Clarksdale WIN Job Center Staffing % June 2006		12.5	87.5	12.5		87.5													
Note: Some Other Race =.3 and Two or More Races = .6																			

The XXXXXX WIN Job Center serves potential clients in XXXXXX County and other clients who find this location convenient in counties such as XXXXXX, XXXXX, XXXXXX and XXXXXX. Based upon the chart above, the XXXXXX WIN Job Center staffing demographics is generally reflective of the population as a whole for the surrounding area.

Management and staff awareness of nondiscrimination and EO laws:

<b>DEPARTMENT REVIEW QUESTIONNAIRES</b>			
<b>Number of MDES staff: 8</b>			
<b>Non-Agency/Temporary/Partner Employees: 2</b>			
<b>Total Issued Questionnaires: 10</b>			
<b>Total Returned Questionnaires: 10</b>	<b>YES</b>	<b>NO</b>	<b>NO RESPONSE</b>
<b>Know the names of the following:</b>			
State WIA EO Officer	<u>10</u>		
EO Compliance Coordinator	<u>10</u>		
Customer Services Specialist	<u>10</u>		
Local WIA EO Officer	<u>10</u>		
<b>Received the following training:</b>			
Sexual Harassment Training	<u>10</u>		
Disability Training (Mississippi Department of Rehabilitation Services Navigators)	<u>9</u>		<u>1</u>
Limited English Proficiency Training	<u>8</u>		<u>2</u>
<b>Have read MDES' non-discrimination and equal opportunity policy</b>	<u>8</u>		<u>2</u>
<b>Feel you were ever discriminated against base on race, sex, age, national origin, religion or political affiliation</b>		<u>10</u>	
<b>Familiar with how to file a complaint if you feel you have been sexually harassed</b>	<u>10</u>		
<b>Aware of disciplinary action for sexual harassment in MDES:</b>	<u>10</u>		

The State WIA EO Officer, EO Compliance Coordinator, Customer Services Specialist and the Local Workforce Investment Area Equal Opportunity Officer are responsible for the implementation and adherence to nondiscrimination requirements. The chart above indicates that the majority of respondents are **aware** of the names of the State WIA EO Officer, EO Compliance Coordinator, and the Local Workforce Investment Area Equal Opportunity Officer.

2. Complaint procedure and process awareness:

As indicated in the chart above, ten respondents are familiar with the complaint filing process if they have been sexually harassed. Ten of ten respondents are aware of disciplinary action for sexual harassment within MDES.

3. Physical aspects of the site – programmatic and architectural accessibility:

The Xxxxxx WIN Job Center is located at \_\_\_\_\_ MS. Accessibility requirements for this facility do fall under the Americans with Disability Act (ADA). In 1990, Congress passed the Americans with Disability Act defining accessibility requirements for state and local government buildings and for private sector buildings. The ADA requires that buildings and facilities be accessible to and usable by people with disabilities.

The resource room is clean, attractive and visible from the entrance to the office. The pamphlet racks are neat and organized, the tables and chairs comfortable and professional looking, and there is a clearly-marked table for wheel chair accessibility. The TTY/TDD phone is readily apparent, as is the large-screen computer with adaptive software.

At the Xxxxxx WIN Job Center there are accessible parking spaces, but without upright accessible parking signage, and lacking room for van accessibility. A 2008 ADA assessment has addressed this and one bathroom mirror issue, and the report has been referred to the landlord for action.

4. Observance of customer functions:

Observation of the reception, intake, and assessment processes revealed that staff is aware of the fact that clients judge them by what they do and say. During the onsite visit the following areas were noted:

- Staff promptly answered the phone;
- Staff was helpful to clients-without making promises they would not be able to keep;
- Staff appeared to listen to the client-they were not rushed through the process; and
- Staff appeared to take the extra step-they were aware of dealing with sensitive and confidential information.
- The customer traffic during the monitoring visit was moderate, with a mixture of male and female, Caucasian and African-American customers. No apparent disabilities were observed among the customers during the monitoring visit. Of the twenty or so customers in the office at the time of the visit, all seemed to be familiar with the facilities and services offered. Three people were observed asking questions at the reception desk, either for directions or initial help. Several staff members from Xxxxxx Community College were onsite offering ABE training and other services.

5. Maintenance of EO policies and complaint file:

The WIN Job Center has a Customer Services Specialist (CSS). The MDES employee in this location is aware of her responsibility as the first in line for contact with complainants in the WIN Job Center.

The responsibilities include diffusing any heated situations, filling out the Complaint Narrative Record and assisting the Complainant with completion of the MDES Complaint Form. However, all investigations, dispositions of cases, and files are maintained by the EO Department.

6. Display of announcements, mandatory WIA "Equal Opportunity is the Law" posters, and posters or signs for clients with limited English-speaking abilities:

The WIN Job Center has a bulletin board to display announcements, mandatory WIA "Equal Opportunity is the Law" posters, and posters or signs for clients with limited English-speaking abilities. The WIN Job Center has a set of "Equal Opportunity is the Law" posters on the public bulletin board and not in the staff break area.

7. Corrective Action is defined as a change implemented to address a weakness identified during the previous onsite review. No outstanding issues.

***Recommendations:***

1. Staff composition:

MDES should respond to the demographic makeup of Mississippi by diversifying its hiring practices-This means recruiting and hiring people of different races, religions, ethnicities, and educational backgrounds. It does not mean hiring unqualified or unnecessary individuals. However, it does involve trying to make the workforce reflective of the population it serves in all dimensions. This applies to the WIN Job Centers, Call Centers, and the State Office. If vacancies occur in the WIN Job Center, it is recommended that qualified people with a disability be given an opportunity to work in the WIN Job Center.

2. Management and staff awareness of nondiscrimination and equal opportunity laws:

During the onsite review staff was provided with EO desk material and instructions on accessing the EO website, where all the following EO information is located:

A. Equal Opportunity Manuals

- EO Disability Etiquette Handbook,

- EO Reasonable Accommodations Guidelines, and
  - Nondiscrimination and Equal Opportunity Policy Statements.
- B. Equal Opportunity Newsletters.
- C. EO Policies.
- D. Equal Opportunity Commission (EEOC).
- E. Civil Rights Center (CRC).

During the onsite visit staff received training in the areas of sexual harassment and limited English proficiency. It was recommended that ALL staff, especially since there were more than three instances of staff reports of not viewing the online material, go to the Insider to view the EOD videos on sexual harassment, limited English proficiency and disability. In addition, staff should read newsletters and other equal opportunity/ nondiscrimination information available on the MDES intranet.

It was recommended that during staff meetings management refer all employees to both locations of the “Equal Opportunity is the Law” posters so that all staff will be aware of the names of the State EO Officer, EO Compliance Coordinator, Local Workforce Investment Area EO Officer, and Customer Service Specialist.

3. Complaint procedure and process awareness:

During the onsite review, ten of ten respondents indicated that they know how to file a sexual harassment complaint. The procedures and processes to file a complaint on the basis of race, color, religion, sex, national origin, age, disability, or political affiliation or belief are the same.

It is recommended that complaints that appear to be of an equal opportunity/ nondiscrimination nature be referred to the Equal Opportunity Department (EOD). In addition, any questions about the complaint procedures and process should be directed to EOD staff. If the EOD staff is unavailable the information is located on the intranet site.

In addition, all complaints should be reported on the Monthly Complaint Log submitted to the EOD at the end of each month. Upon completion of either of the above listed forms; they should be promptly forwarded to the State WIA Equal Opportunity Officer/MDES Equal Opportunity Officer, who will determine jurisdiction and investigation procedures.

4. Physical aspects of the site – no recommendations regarding the physical aspect of the facility are needed at this time. (Immediately following the on-site visit the facility landlord had upright signage installed at the WIN center parking lot.)

5. Observance of customer services functions:

The staff demonstrated good customer services skills during the onsite visit. To assist in the area of Nondiscrimination and Equal Opportunity staff was given training and desk reference materials such as:

- Methods of Administration Overview;
- Language Identification Flashcard;
- Toll-free language assistance telephone number and activity log; and
- Mississippi Registry of Interpreters for the Deaf.

6. Best Practices:

While we recognize the Best Practices listed under “Findings”, we also recommend commonly used documents are translated for the limited English proficient population in the area. In addition, it is recommended that documents deemed “vital” to the access of LEP persons to programs and services be reviewed and considered for translation—such as consent and complaint forms, intake forms with potential for important health consequences, written notices of eligibility criteria, rights, denial, loss, or decrease in benefits or services, etc.

The “Boiler Plate” in all new or renewed agreements should include mandatory Workforce Investment Act of 1998 (WIA) language that all contractual agreements funded through WIA state the following:

*Section 188 of the WIA prohibits discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, status as a citizen or individual lawfully admitted into the U.S or participation in a WIA Title I - financially assisted program or activity.*

*Section 188 protects individuals from being excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any Title I - funded program or activity.*

It is recommended that the “Tag Line” be included on information disseminated through the Workforce Investment Network. MDES and its sub-recipients must indicate that the WIA Title I-financially assisted program or activity in question is an “*equal opportunity employer/program,*” and that “*auxiliary aids and services are available upon request to individuals with disabilities,*” in recruitment brochures and other materials that are ordinarily distributed or communicated in written and/or oral form, electronically and/or on paper, to staff, clients, or the public at large, to describe programs financially assisted under Title I of WIA or the requirements for participation by recipients and participants. Where such materials indicate that the recipient may be



reached by telephone, the materials must state the telephone number of the TDD/TTY or relay service used by the MDES or its subrecipients, as required by 29 CFR part 37.9(c).

9. Corrective Action: There were no outstanding issues.

**Closing:**

We are pleased to acknowledge the full cooperation and helpful assistance of the management and staff of the WIN Job Center in the performance of this on-site review. The next onsite review and training will be performed in the next twelve to fourteen months, or as circumstances indicate the need.

This report was written by Randy Langley, Assistant Equal Opportunity Officer based upon the observations of the reviewer. Please submit a response or an acknowledgement of this report within **THIRTY (30) WORKING DAYS** of its receipt.

Dr. Dovie Reed  
MDES Equal Opportunity Officer/WIA State EO Officer

Distribution:

## 35. MDES Retention Policy and Sample Retention Schedules

### MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY Records Retention Policy and Procedure

#### I. Scope and Purpose

This policy sets forth the criteria and rules for the application of the Records Retention Policy of the Mississippi Department of Employment Security (“MDES”) in accordance with all laws, statutes, rules and guidelines which affect MDES and its processes.

This policy also creates the position of Record Retention Coordinator (“RRC”). The Record Retention Coordinator will be charged with carrying out the agency’s record management responsibilities. The RRC’s responsibilities include seeing to the maintenance, transfer, and disposal of records in accordance with this policy, applicable laws and/or regulations.

This policy is established to ensure that MDES, its employees, representatives and contractors properly maintain and destroy agency records. This policy sets forth the minimum and maximum requirements and timeframes for records retention. All documents/records, both physical (paper) and electronic (imaged) will be maintained according to this policy. The term “record” shall mean any record, document, file, or any other medium in which information is created or stored.

The Manager of each department shall be responsible for making sure that this policy is strictly adhered to by all employees under the management of the department. The Director, or his/her designee, must contact the RRC before destroying any document/file. No documents are to be destroyed without the consent of the RRC to ensure that State Retention Policies and MDES Policies are met. The RRC will inform the Director, or their designee, when stored documents scheduled for destruction should be destroyed. Pursuant to the technology policy of MDES, each Manager has the authority to review all documents saved on the hard drive of the computer assigned to their employees to determine if there are any records that should be destroyed. Moreover, it is the responsibility, duty and obligation of each person employed by MDES to ensure that all documents are destroyed according to this policy.

#### II. Policy

- **Director(s) files** – This includes Executive Director, Deputy Executive Directors.

- ☐ Retain documents for a period of five (5) years, then transfer to State Archives as directed by State Government Records Office Records Control Schedule for Administration Records G33. This includes incoming and outgoing correspondence, policies and procedures, internal memos and reports, agency/organizational reviews, program development records, subject/administrative materials, non-routine fiscal data, and other files related to the overall historical, legal, and administrative functions of an agency or commission.

- **Office of Public Information** – This includes Communications, Print Shop and Labor Market Information.

- ☐ All documents created by Communications and the Print shop will be retained for a period of three (3) years and then destroyed.

☐ Labor Market Information Department Returned survey forms will be retained for a period of three (3) years after the completion and approval of a survey panel and then destroyed, with two exceptions. The Occupational and Employment Statistics program requires that returned survey forms be retained four years after the completion of a survey panel and the Quarterly Census of Employment and Wages Program Annual Refile Survey forms will be retained for a period of five years after the completion of a survey panel.

Publications and source files used to create the published amounts will be retained indefinitely for the purpose of providing historical and comparative economic data for the State of Mississippi Grant files and related worksheets, files created for special projects, files used to meet federal program deliverables, and other documentation created during the normal course of business will be retained for a period of three (3) years after the close of the grant agreement period, unless directed otherwise by the Bureau of Labor Statistics in a Program Manual or Technical Memorandum.

• **Office of Legal Affairs** – This includes the Legal Department, Legal Actions Unit, Appeals, Board of Review, and Contract Management Unit.

☐ Legal Department

Litigation files will be retained for a period of seven (7) years and then destroyed. All other documents will be retained for a period of three (3) years from creation or expiration and then destroyed.

☐ Legal Actions Unit

Garnishment records shall be kept indefinitely until satisfaction of the debt giving rise to the garnishment. After satisfaction, records will be retained for a period of three (3) years.

☐ Board of Review

Records of the Board of Review including, but not limited to, minutes of meetings and decisions, will be retained for a period of three (3) years.

☐ Appeals

Documents created and maintained by the Appeals department fall under the regulations of the Department of Labor and will therefore be retained according to their retention requirements as follows: MDES Appeals will retain all case files, documents, exhibits and recordings for a period of three (3) years following the date of final disposition.

☐ Contract Management Unit

Documents created and maintained by the Contract Management Unit shall be kept for a period of three (3) years from the expiration of such document.

• **Office of Human Capital** – This includes Office of Human Capital, Benefits & Worklife Balance, Training and Development, and Organizational Effectiveness.

☐ Office of Human Capital

Records pertaining to MDES employees must be kept pursuant to the Federal Insurance Contributions Act (FICA). Therefore Personnel Files in their entirety, including the employee's financial/compensation records will be retained for a period of four (4) years after the Employee separates from MDES.

☐ **Benefits & Worklife Balance**

Records pertaining to MDES employees will be retained for a period of four (4) years after the Employee separates from MDES.

☐ **Training and Development**

Records pertaining to MDES employees will be retained for a period of four (4) years after the Employee separates from MDES.

☐ **Organizational Effectiveness**

Documents will be retained for a period of three (3) years from the date the document is no longer “active”.

• **Office of the Comptroller** – This includes Office of the Comptroller, Administration and Fiscal Support, Business Management, Procurement and Other Services, Safety, Security & Building Management.

☐ Offices of the Comptroller, Administration and Fiscal Support, Business Management, Procurement and Other Services records of this Office fall under the retention requirements of the Mississippi Department of Finance and Administration. The following retention schedule will be followed by all departments herein:

- All accounting records, correspondences, minutes, personnel, and payroll records shall be retained by the agency until the records are audited by the State Auditor or his/her representative.

- Payment vouchers, cash receipts, purchase orders, correspondence, reports, and any other records that do not pertain to MDES personnel shall be retained for a period of (3) years after the release of the audit report. MDES personnel pay earnings records, shall be kept according to the retention policy as set forth under the Office of Human Capital.

☐ Safety, Security & Building Management Records created and maintained by the Safety, Security & Building Management office will be retained for a period of three (3) years after the record has become “inactive”.

• **Office of Information Systems** – This includes Information Systems, Applications Programming, Network/Management Tech Support, Systems Programming, IT Security/Server Management, and UI Modernization Project.

☐ **Information Systems**

- IS will be responsible for destruction of electronic information for all departments. The Director of IS will work with the Record Retention Coordinator to determine the destruction date of electronic documents contained on the mainframe that does not have a “solid” creation date (ie. Work product created in applications such as Microsoft Word).

- Electronic mail (“E-Mail”) will be retained for a period of 1 year from the date of creation.

- All other records created by any department under this Office shall be retained for a period of three (3) years from the date the record becomes “inactive”.

• **Office of Customer Operations Support** – This includes Office of Customer Operations Support, Audit Office, Tax Services, Benefit Pay Control, Benefits, Tax and Technical Service.

☐ **Benefits**

UI Initial Claims (All UI Initial Claims, files, correspondences, weekly certifications, investigations, and decisions) shall be retained for a period of three (3) years from the date of final disposition.

Overpayments: Records pertaining to active overpayments will be retained indefinitely until fully satisfied (paid in full). Records pertaining to overpayments that have been satisfied shall be retained for three (3) years from the date of satisfaction.

☐ **Audit Office/Technical Service/Tax Services**

Records created by Audit Office and Technical Services shall be retained for a period of three (3) years.

• **Office of Customer Operations** – This includes Office of Customer Operations, Workforce Services, Veterans Employment Services, Customer Operations Supervisors, Call Centers and WIN Job Centers

☐ All records for departments under this Office shall be retained for a period of three (3) years.

• **Office of Grant Management** – This includes Office of Grant Management, Grant Allocation, Participant Reporting, WIA Program Management. Documents created and maintained by the Office of Grant Management (OGM) fall under the regulations of the U.S. Department of Labor and will therefore be retained according to their retention requirements as follows:

☐ MDES OGM will retain all grant files, documents, property records, and fiscal records for a period of three (3) years following the date of the final expenditure report to DOL (closeout) for that funding period.

☐ All records pertinent to WIA Participants shall be retained for a period of not less than four (4) years from the close of the program year during which the participant exited. Example: the record for a participant who exits in May of 2007 may not be destroyed before June 30, 2011.

☐ All records regarding complaints and actions taken on the complaints shall be retained for a period of not less than three (3) years from the date of resolution of the complaint.

☐ Retain all records beyond the required three (3) years [or four (4) years for participants] if any litigation or audit is begun or a claim is instituted involving the grant or agreement covered by the records. The records shall be retained for an additional three (3) years after the litigation, audit, or claim has been resolved.

## **IMAGED DOCUMENTS**

After being imaged, there is no need to keep a paper copy of the document and such can be destroyed immediately upon scanning. HOWEVER, it is acceptable to save the original(s) for a period of one year after being imaged.

## **UNDEFINED DOCUMENTS**

Any documents not specifically addressed herein shall fall under the three (3) year retention period unless otherwise authorized by the MDES RRC. If you wish to request a consideration or

reconsideration of retention time contact the MDES Records Retention Coordinator – Tami Bullock, Office of Legal Affairs, 601-321-6344 or [tbullock@mdes.ms.gov](mailto:tbullock@mdes.ms.gov).

**APPLICABLE TO ALL AREAS OF MDES:** In the event MDES is made aware of any legal action against MDES, the RRC will immediately notify the appropriate department head of such. The records/documents that are, or may be, affected by such action will become the property of the Office of Legal Affairs and will be retained indefinitely. Further, any documents in the possession of the Office of Legal Affairs will become subject to the retention policies of that department and will be destroyed in accordance with same.

### **III. Procedure**

All documents in MDES filing cabinets shall be reviewed quarterly to determine what documents are “inactive” and can be sent to storage. Inactive documents shall not remain in MDES filing cabinets for a period of more than three (3) months from the date it becomes inactive. Documents that are deemed inactive and should be sent to storage shall be reported to the RRC before being sent to storage. Destruction of documents, whether in storage, in active files, or electronic, must be cleared with the RRC.

### 36. Pre-Monitoring Assessment Tool

#### EQUAL OPPORTUNITY AND NONDISCRIMINATION MONITORING

### WIN JOB CENTER MANAGER PRE-ONSITE MONITORING ASSESSMENT INSTRUMENT AND REQUEST FOR TECHNICAL ASSISTANCE

#### ELEMENT 1: DESIGNATION OF EO OFFICERS

1. Name of Local EO Officer:
2. To whom does the EO Officer report?
3. How is the EO Officer's identity made known to participants and service providers?
4. On what internal and external communications concerning MDES, LWIAs, subrecipient, contractors, and eligible training providers nondiscrimination and equal opportunity programs does the EO Officer's (State WIA EO/Local EO) identity and contact information appear? **Please provide examples.**

**DO YOU NEED TECHNICAL ASSISTANCE IN THIS ELEMENT? IF SO, EXPLAIN:**

## ELEMENT 2: NOTICE AND COMMUNICATION

1. Where are the WIA “Equal Opportunity is the Law” posters displayed and which versions are displayed-English, Spanish, both or if applicable other language?
  - Are they posted in reasonable numbers and places?
  - Are the posters centrally located and in plain sight?
2. How is it ensured that participants are notified of their rights to file a complaint?
  - Does the form include the required WIA “Equal Opportunity is the Law” language?
  - Please provide copies of applicable documents.
3. What steps are taken to see that continuing notice is provided in the appropriate language when a significant number or proportion of the population eligible to be served, or likely to be directly affected, need services or information in a language other than English?
4. What equal opportunity tagline is included in brochures, pamphlets, and flyers?
  - In which is it included?
  - What other forms of communications is the tagline included in? (i.e., materials distributed or communicated in written, oral or electronic form to applicants, staff and the general public)
  - Is the tagline included in public announcements and broadcasts?

***The appropriate tagline indicates that the WIA Title I-financially assisted program is an “equal opportunity employer/program” and that “auxiliary aids and services are available upon request to individuals with disabilities”.***



- Please provide examples.
5. Describe how photographs and other pictorial displays include and portray positive images of women, minorities, and individuals with disabilities and persons of varying age groups engaged in a variety of workplace and skilled training capacities.
  6. How is the requirement communicated not to discriminate on the basis of disability and the obligation to provide reasonable accommodations?
  7. What efforts are made to ensure that communications with individuals with disabilities are just as effective as communications with others?
    - In all communications providing contact data, is the telephone number for the TDD/TTY or relay service provided?
  8. How is the Equal Opportunity Notice provided in alternate formats for individuals with visual impairments?

**DO YOU NEED TECHNICAL ASSISTANCE IN THIS ELEMENT? IF SO, PLEASE EXPLAIN:**

<b>ELEMENT 3: ASSURANCES</b>
------------------------------

1. Do contracts contain the approved equal opportunity assurance language?
2. Please provide an example of a contract Equal Opportunity Assurance section.
3. How the contractor or service provider is made aware that the EO assurances are incorporated by operation of law whether or not it is physically incorporated in the contract or agreement?
4. How do you insure equal opportunity and nondiscrimination for employees?
5. What equal opportunity and nondiscrimination policies are in place for employees?  
Please provide a copy.

**DO YOU NEED TECHNICAL ASSISTANCE IN THIS ELEMENT? IF SO, PLEASE EXPLAIN:**

#### **ELEMENT 4: UNIVERSAL ACCESS**

1. What reasonable steps have been taken to ensure services and other information are provided to Limited English Proficient persons?
2. In what languages is information provided other than English?
3. What documents have been determined "vital" and translated into languages designated as essential?
  - Please provide examples.
4. Where telephone numbers are indicated, what alternate provisions are listed for the hearing impaired, such as TTY/TDD or relay service?
5. Which brochures, pamphlets, and flyers include a TTY/TDD or Relay Service telephone number for the hearing impaired?
6. How are the required notifications provided in alternative formats for the visually impaired?
7. How do training providers provide programmatic and architectural accessibility for individuals with disabilities?
8. What outreach plans, strategies, and activities have been identified for various groups (members of both sexes, various racial and ethnic groups, individuals with disabilities, individuals in differing age groups) served?

**DO YOU NEED TECHNICAL ASSISTANCE IN THIS ELEMENT? IF SO, PLEASE EXPLAIN:**

<b>ELEMENT 5: COMPLIANCE WITH SECTION 504</b>
---

1. Have ADA assessments been completed for WIN Job Centers and Affiliates?

If so, please explain the shortfalls?

If not, when are they anticipated?

2. If structural changes are needed are transition plans on file?

If so, please provide a copy.

If not, please explain when they are anticipated to be completed.

3. Are contractor and service provider sites accessible to individuals with disabilities?

4. Is there at least one entrance to the buildings that are wheel chair accessible? If yes, does it have the international symbol for accessibility for individuals with disabilities posted?

If no, where are these clients directed to go? **Explain.**

5. Do inaccessible entrances have signs indicating the location of the nearest accessible entrance? **Explain.**

6. Are there designated restrooms with appropriate signage available for individuals with disabilities? **Explain.**

7. Is a TTY/TDD or Relay Services available for use? **Explain.**

8. Are there provisions for reasonable accommodations in employment? **Describe.**

9. Please describe the availability of assistive equipment for individuals with disabilities.

10. Please describe any reasonable accommodations that have been provided for applicants, participants, or employees with disabilities.

11. How are reasonable accommodations provided regarding the registration for, and the provision of, aid, benefits, services or training--including core and intensive training--and support services to qualified individuals with disabilities?

*Describe how you meet the obligation of a recipient to operate programs or activities so that, when viewed in their entirety, they are readily accessible to qualified individuals with disabilities, through means such as: redesign of equipment; reassignment of classes or other services to accessible buildings; assignment of aides to beneficiaries; home visits; delivery of services at alternative accessible sites; alteration of existing facilities and construction of new facilities in conformance with standards for new construction; or any other method that results in making its program or activity accessible to individuals with disabilities?*

- Is there a written reasonable accommodation policy?
- **If so, please provide a copy.**

12. Describe how medical condition information is maintained separate from other files and secured.

**DO YOU NEED TECHNICAL ASSISTANCE IN THIS ELEMENT? IF SO, PLEASE EXPLAIN:**

<b>ELEMENT 6: DATA AND INFORMATION COLLECTION AND MAINTENANCE</b>
---

1. Please explain how EO data has been collected (race/ethnicity, sex age, and where known, disability status)?
  
  
  
  
  
  
  
  
  
  
2. Please explain how files/records about the population being served have been maintained?
  - How are these data maintained under safeguards that will restrict access to authorized personnel only? Please explain.
  
  
  
  
  
  - Are the records kept for a period of three years?
  
  
  
  
  
  - How is staff made aware that data must be collected on race, sex, age, disability, etc.?
  
  
  
  
  
  - How is the data collected by staff?

**DO YOU NEED TECHNICAL ASSISTANCE IN THIS ELEMENT? IF SO, PLEASE EXPLAIN:**

<b>ELEMENT 7: MONITOR RECIPIENTS FOR COMPLIANCE</b>
---

1. List the EO Officer monitoring visits.
2. How often on-site monitoring is conducted?

Please provide a record and/or summary report of the EO monitoring visits (dates, locations, entities and findings) since your last WIA Monitoring review.

**DO YOU NEED TECHNICAL ASSISTANCE IN THIS ELEMENT? IF SO, PLEASE EXPLAIN:**

## ELEMENT 8: COMPLAINT PROCESSING PROCEDURES

1. What discrimination complaint policies and procedures are used by the WIN Job Center?  
**Please provide copies.**
2. Explain how customers and employees obtain a copy of the discrimination complaint policy and procedures and/or discrimination complaint form?
3. Does the discrimination complaint log for formal discrimination complaints include the following:
  - Name and address
  - Basis of complaint
  - Brief description of complaint
  - Date filed
  - Disposition

**Please provide a copy of the discrimination complaint log for review.**

4. Please list any formal complaints that have been filed since the last EO monitoring visit.
  - Has the State EO Officer been advised of the complaint?
5. Describe the process established to keep the discrimination complaint records for a period of three years?
6. Describe the process for keeping the identity of the complainant confidential.

**DO YOU NEED TECHNICAL ASSISTANCE IN THIS ELEMENT? IF SO, PLEASE EXPLAIN:**

**Completed By: (Signature) and Date:**

*If you have questions, please contact:*

[eo@mdes.ms.gov](mailto:eo@mdes.ms.gov) or 601-321-6021



## 37. Copy of Insider EO page with Links to Videos and PowerPoints

Randy J. Langley ▾

**MDES**

MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY

**Insider**

Be Proactive

HomeEmployee ServicesCustomer ServicesAgency CommunicationsOnline Business ServicesEquipment/SuppliesI Would Like To ▾

Insider > Equal Opportunity Department

Libraries

Quick Links

Agency Directory

Emergency Procedures

MDES Job Opportunities

Knowledge Transfer

Professional Associations

MDES Web Site

Online Dictionary

Condolence

Site Index

Contact Us

**Equal Opportunity Department**

The Equal Opportunity (EO) Department assists the administrative staff to ensure compliance with Equal Opportunity and non-discriminatory laws in all phases of MDES' operation, which includes implementing and complying with the Americans with Disabilities Act (ADA) of 1990.

The EO Department updates and maintains the Methods of Administration (MOA). The MOA is intended to enhance the Department's compliance with U.S. Department of Labor regulations and with other federal agencies that assist our staff in providing services in an equitable manner to its customers.

The EO Department develops procedures for office and department reviews to ensure that equitable services are provided in regard to nondiscrimination and equal-opportunity requirements as mandated by state and federal laws of the U.S. Department of Labor. These procedures are more specifically designed to facilitate the resolution of allegations of discrimination.

For general questions or comments regarding equal opportunity laws and regulations, please contact us.

Mississippi Department of Employment Security  
P.O. Box 1699  
Jackson, Mississippi 39215-1699  
Email: [EO@mdes.ms.gov](mailto:EO@mdes.ms.gov)  
Phone: 601-321-6021  
Fax: 601-321-6037  
TDD: 800-582-2233

Dovie Reed  
State - Workforce Investment Act Equal Opportunity Officer  
Phone: 601-321-6024

Randy Langley  
Assistant Equal Opportunity Officer  
Phone: 601-321-6504

Stefanie W. Brown  
Equal Opportunity Compliance Coordinator  
Phone: 601-321-6031

EO Forms

EO Manuals

EO Newsletters

EO Policies (Sexual Harrassment, Code of Ethics, Dress Code, Nepotism, General Harrassment, Non Discrimination; etc...)

EO Video

2010 Methods of Administration: Equal Opportunity & Nondiscrimination Policy

Equal Employment Opportunity Commission (EEOC)

Civil Rights Center (CRC)

## 38. Complaint Procedures

### Complaint Processing Guidelines For Completing the Complaint Information Form (CIF)

The Mississippi Department of Employment Security (MDES) or the Civil Rights Center (CRC) officially records all discrimination complaints by utilizing the Complaint Information Form (CIF). The information provided assists both organizations with making a determination of coverage. It is important that the form be as complete, legible, and clear as possible. **Forms that are not signed, illegible or do not have complete information delays processing time.**

- Item 1: The *complainant* is the person alleging the discrimination. This can be a third party. This information should be printed; include full name, address, and telephone numbers where complainant can be reached. Disclosure of a social security number is strictly voluntary.
- Item 2: The *respondent* is the program or activity responsible for the alleged discrimination. This information should be printed and include complete names of program without acronyms, names and titles of the organization or person involved with complete mailing addresses and telephone numbers.
- Item 3: State the most convenient time and place to be contacted by the Equal Opportunity Office or a third party.
- Item 4: This information is provided to determine the timeliness of the complaint. The dates that the discrimination took place reflecting the first instance of discrimination and the date of occurrence should reflect the most recent adverse action, if there was more than one occurrence over a period of time.
- Item 5: This information is provided to determine if the complainant has attempted to resolve the complaint locally and if a resolution was issued and if the complainant was given an option to choose mediation or an investigation.
- Item 6: The complainant briefly describes the circumstances surrounding the alleged discrimination including those individuals included. Attach any information or documentation that might be relevant. Please note that individual complaints should be written in the first person and describe as much of the following as possible (additional sheets may be attached):
- What adverse action was taken against you – include dates, places and names of individuals including witnesses
  - How you believe the treatment by the respondent was discriminatory
  - How the treatment relates to your sex, race, national origin, etc.
  - Describe any treatment that was different from any other individual or group

- Item 7: This information asks that the U.S. Department of Labor Programs involved in the discrimination be identified. If the complainant is alleging discrimination against more than one entity, a separate form must be completed for each individual entity.
- Item 8: This information is a checklist of protected classifications under Section 167. The complainant should check only the classes that are believed were reasons for the discrimination as there may be more than one basis for the discrimination.
- Item 9: This is a checklist to assist the complainant with identifying the issues(s) that resulted in the discriminatory act. It is not intended to be all-inclusive, but in most instances, the issues correspond to the description given in *ITEM 6*.
- Item 10: This allows the complainant to explain why they believe the events occurred, and to relate the events to the checklist in *ITEM 8*.
- Item 11: This gives the complainant an opportunity to add any additional information believed to be relevant.
- Item 12: The complainant should describe the corrective actions believed necessary to resolve the complaint. Remedies should be pertinent and reasonable to the nature of the issue(s).
- Item 13: The complainant should list any person the investigator should contact for information in support of or for clarification of the complaint. *A name without an address or telephone number will not be useful.*
- Item 14: If an attorney shall represent the complainant, it should be noted.
- Item 15: The complainant should state all agencies that he/she has filed a complaint with to include dates, status of the complaint, and any other information available.
- NOTE:** *When the complainant is an organization filing on behalf of a class of individuals or when the complainant is a third party authorized to represent the injured party, the Civil Rights Center (CRC) must establish the injured party's willingness to secure the complaint on behalf of another, who for fear of retaliation or other reasons, may be unwilling to take an active role in filing the complaint.*

***For further information, please contact the Equal Opportunity Department at 601-321-6021.***

# M|D|E|S Complaint Information Form



<p>1. Complaint Information</p> <p style="text-align: right;">Your Telephone Number(s)</p> <p>State your name and address:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Social Security Number: _____ (disclosure of Social Security number is voluntary)</p>	<p>7. To the best of your knowledge, which of the following DOL programs were involved? (Check One)</p> <table style="width: 100%;"> <tr> <td><input type="checkbox"/> Workforce Investment Act (WIA)</td> <td><input type="checkbox"/> MSHA</td> </tr> <tr> <td><input type="checkbox"/> Job Training</td> <td><input type="checkbox"/> OSHA</td> </tr> <tr> <td><input type="checkbox"/> Job Corps</td> <td><input type="checkbox"/> WIN</td> </tr> <tr> <td><input type="checkbox"/> Youth</td> <td><input type="checkbox"/> WtW</td> </tr> <tr> <td><input type="checkbox"/> Unemployment Insurance</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Apprenticeship</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Older Americans</td> <td></td> </tr> <tr> <td><input type="checkbox"/> New Directions</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Displaced Workers</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Other, Specify _____</td> <td></td> </tr> </table> <p>*At the local level, these programs may be known by a different name.</p>	<input type="checkbox"/> Workforce Investment Act (WIA)	<input type="checkbox"/> MSHA	<input type="checkbox"/> Job Training	<input type="checkbox"/> OSHA	<input type="checkbox"/> Job Corps	<input type="checkbox"/> WIN	<input type="checkbox"/> Youth	<input type="checkbox"/> WtW	<input type="checkbox"/> Unemployment Insurance		<input type="checkbox"/> Apprenticeship		<input type="checkbox"/> Older Americans		<input type="checkbox"/> New Directions		<input type="checkbox"/> Displaced Workers		<input type="checkbox"/> Other, Specify _____	
<input type="checkbox"/> Workforce Investment Act (WIA)	<input type="checkbox"/> MSHA																				
<input type="checkbox"/> Job Training	<input type="checkbox"/> OSHA																				
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<input type="checkbox"/> Apprenticeship																					
<input type="checkbox"/> Older Americans																					
<input type="checkbox"/> New Directions																					
<input type="checkbox"/> Displaced Workers																					
<input type="checkbox"/> Other, Specify _____																					
<p>2. Respondent Information:</p> <p style="text-align: right;">Telephone Number:</p> <p>Provide name and address of agency involved:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p style="text-align: right;">Area Code      Number</p>	<p>8. Basis of Complaint. Which of the following best describes why you believe you were discriminated against? (Check)</p> <p><input type="checkbox"/> Race: Specify _____</p> <p><input type="checkbox"/> Color: Specify _____</p> <p><input type="checkbox"/> Religion: Specify _____</p> <p><input type="checkbox"/> National Origin: Specify _____</p> <p><input type="checkbox"/> Gender: Specify ( ) Male ( ) Female</p> <p><input type="checkbox"/> Age: Specify Date of Birth _____</p> <p><input type="checkbox"/> Disability: Specify _____</p> <p><input type="checkbox"/> Political Affiliation: Specify _____</p> <p><input type="checkbox"/> Citizenship: Specify _____</p> <p><input type="checkbox"/> Reprisal/Retaliation _____</p> <p><input type="checkbox"/> Other: Specify _____</p>																				
<p>3. What is the most convenient time for us to contact you about this complaint?</p> <p>_____</p> <p>_____</p>	<p>9. Do you think the discrimination against you involved</p> <p>(Check One)</p> <p><input type="checkbox"/> Your job or seeking employment? or</p> <p><input type="checkbox"/> Your using facilities or someone providing/not providing you with services or benefits?</p> <p>If so, which of the following are involved?</p> <p><input type="checkbox"/> Hiring</p> <p><input type="checkbox"/> Transition</p> <p><input type="checkbox"/> Wages</p> <p><input type="checkbox"/> Job Classification</p> <p><input type="checkbox"/> Discharge/Termination</p> <p><input type="checkbox"/> Promotion</p> <p><input type="checkbox"/> Training</p> <p><input type="checkbox"/> Qualification/Testing</p> <p><input type="checkbox"/> Grievance Procedure</p> <p><input type="checkbox"/> Layoff Furlough</p> <p><input type="checkbox"/> Recall (from Layoff/Furlough)</p> <p><input type="checkbox"/> Seniority</p> <p><input type="checkbox"/> Intimidation/ Reprisal</p> <p><input type="checkbox"/> Harassment</p> <p><input type="checkbox"/> Access/Accommodation</p> <p><input type="checkbox"/> Union Activity</p> <p><input type="checkbox"/> Application</p> <p><input type="checkbox"/> Enrollment</p> <p><input type="checkbox"/> Referral</p> <p><input type="checkbox"/> Exclusion</p> <p><input type="checkbox"/> Placement</p> <p><input type="checkbox"/> Benefits</p>																				
<p>4. To your best recollection, on what date(s) did the discrimination take place?</p> <p>_____</p> <p style="text-align: center;">Date of first occurrence      Date of most recent occurrence</p>	<p>6. Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently from you. Also attach any written material pertaining to your case</p> <p>_____</p> <p>_____</p> <p>_____</p>																				
<p>5. Have you ever attempted to resolve this complaint at the local level?</p> <p>_____ Yes      _____ No</p> <p>a. Have you been provided with a final decision at the local level regarding your complaint?</p> <p>_____ Yes      _____ No</p> <p>b. Have 90 days elapsed since you filed or attempted to file your complaint at the local level?</p> <p>_____ Yes      _____ No</p> <p style="text-align: right;">Date of final decision(if any) Date you filled or attempted to file your complaint at the local level:</p> <p>_____</p>	<p>6. Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently from you. Also attach any written material pertaining to your case</p> <p>_____</p> <p>_____</p> <p>_____</p>																				

	Performance Appraisal
	Discipline/Reprimand
	Other (Specify _____)
For MDES Use Only CIF received by MDES _____ Accepted _____ Not Accepted _____ Case Number _____ By _____ Date _____	

### CONSENT FORM

I have read the Notice about Investigatory Uses of Personal Information, printed on the front of this form. I understand the following provisions of the Privacy Act and Freedom of Information Act, which apply to personal information I reveal to the Civil Rights Center in connection with my complaint:

In the course of investigating my complaint, CRC may have to reveal my identify to staff of the program named in my complaint or order to obtain facts and evidence regarding my complaint;

I do not have to reveal any personal information to CRC, but CRC may close my complaint if I refuse to reveal information needed to fully investigate my complaint.

I may request and receive a copy of any personal information CRC keeps in my complaint file for investigatory uses; and

Under certain conditions, CRC may be required by the Freedom of Information Act to reveal to others personal information I have provided in connection with my complaint.

#### SECTION A

- ☐ YES, CRC MAY DISCLOSE MY IDENTIFY IF NECESSARY TO INVESTIGATE MY COMPLAINT. I have read and understand this notice, and I consent for CRC to process my complaint.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

#### SECTION B

- ☐ NO CRC MAY NOT DISCLOSE MY IDENTITY, EVEN IF NECESSARY TO PROCESS MY COMPLAINT. I have read and understand this notice and I do not consent for CRC to disclose my identity during investigation of my complaint. I request that CRC process my complaint, however, I understand that CRC may cancel my complaint if it cannot fully investigate without disclosing my identity. I also understand that CRC may close my complaint if it cannot begin an investigation because I have not consented for CRC to reveal my identify.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

## NOTICE ABOUT INVESTIGATIVE USES OF PERSONAL INFORMATION

Two Federal laws govern personal information to Federal Agencies, including the Civil Rights Center (CRC: the Privacy Act of 1974 (5 U.S.C. 552) and the Freedom of Information Act (5 U.S.C 552) or "FOIA". Please read this description of how these laws apply to information connected with your complaint. After reading this notice, please sign and return the consent agreement printed on the back of this notice, along with your complaint form.

The PRIVACY ACT protects individuals from misuse of personal information held by the Federal government. The law applies to records that are kept and can be located by the individual's name, social security number, or other personal identification system. Anyone who submits information to CRC in connection with a discrimination complaint should know the following:

- CRC has been authorized to investigate complaints of discrimination on the basis of race, color, national origin, age, and handicap, and in some programs on the basis of sex, religion, citizenship, and political affiliation or belief, in programs that receive Federal funds through the Department of Labor. CRC is also authorized to conduct reviews of federally funded programs to assess their compliance with civil rights laws
- Information that CRC collects is analyzed by authorized personnel within CRC. This information may include personnel or program participant records, and other personal information. CRC staff may want to reveal some of the personal information to individuals outside the office in order to verify facts related to the complaint, or to discover new facts which will help CRC determine whether the law has been violated. Such information could include, for example, the physical condition or age of a complainant. CRC may also have to reveal personal information to a person who submits a request for disclosure authorized by the Freedom of Information Act.
- Information submitted to CRC may also be revealed to persons outside of CRC because it is necessary in order to complete enforcement proceedings against a program that CRC finds to have violated the law or regulations. Such information could include for example, the name, income, age, marital status or physical condition of the complainant.
- Any personal information you provide may be used only for the specific purpose for which it was requested.

CRC requests personal information for the purpose of carrying out authorized activities to enforce, and determine compliance with, civil rights laws and regulations. CRC will not release personal information to any person or organization unless the person who submitted the information gives written consent, or unless release is required by the Freedom of Information Act.

- No law required that a complainant reveal personal information to CRC, and no action will be taken against a person who denies CRC's request for personal information. However, if CRC cannot obtain the information needed to fully investigate the allegations in the complaint, CRC may close the case.
- Any person may ask for, and receive, copies of all personal materials CRC keeps in his or her file for investigatory use.

AS A POLICY, CRC DOES NOT REVEAL NAMES AND OTHER IDENTIFYING INFORMATION ABOUT INDIVIDUALS UNLESS IT IS NECESSARY TO COMPLETE INVESTIGATION OR ENFORCEMENT ACTIVITIES AGAINST A PROGRAM WHICH HAS VIOLATED THE LAW. CRC never reveals to the program under investigation the identity of the person who filed the complaint, unless the complaint first gave CRC written permission to do so.

The FREEDOM OF INFORMATION ACT (FOIA) gives the public maximum access to Federal government files and records. Persons can request, and receive; information from many types of records kept by the Government-not just materials that apply to them personally. The Civil Rights Center must honor most request for information submitted under FOIA, but there are exceptions.

- CRC is usually not required to release information during an investigation or an enforcement proceeding if that release would limit CRC's ability to do its job effectively and
- CRC can refuse to disclose information if release would result in a "clearly unwarranted invasion" of a person's privacy.

PLEASE READ AND SIGN SECTION A OR SECTION B OF THE CONSENT FORM, PRINTED ON THE BACK OF THIS NOTICE, AND RETURN IT TO THE CIVIL RIGHTS CENTER WITH YOUR SIGNED, COMPLETED COMPLAINT INFORMATION FORM.

## **39. MDES Executive Bulletin and Non-Compliance, Corrective Action, and Sanction Guidelines**

### **MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY Jackson, Mississippi Executive Bulletin**

**DATE:** December 13, 2005

**TO:** All MDES Employees, Local Workforce Investment Areas, and Other Stake Holders

**SUBJECT:** Nondiscrimination and Equal Opportunity Non-Compliance, Corrective Action and Sanctions Guidelines

**PURPOSE:** To provide guidance to the requirements for Corrective Actions and Sanctions for violations of the nondiscrimination and equal opportunity provisions in the administration of Mississippi Department of Employment Security programs and activities.

**DISCUSSION:** As prescribed under 29 Code of Federal Regulations (CFR) §37.54 (d) (2) (C) (vii), MDES is responsible for the implementation of an assessment to determine whether it and its sub-recipients, contractors, and other service providers (such as eligible training providers) have fulfilled the administrative obligations under the Workforce Investment Act (WIA) section 188 and 29 CFR part 37 (for example, recordkeeping, notice and communication) and any duties assigned to it under the Methods of Administration (MOA). In addition, MDES has the authority and responsibility to establish and implement procedures for obtaining prompt corrective action or, as necessary, sanctions when noncompliance is found to WIA section 188; and implementing regulations 29 CFR part 37

**ACTION:** Management is to ensure that appropriate staff is aware of these procedures, and should discuss its content in staff meetings.

**CONTACT PERSON:** Jim Nelson @ 601-321-3024, Dovie Reed @ 601-321-3023 or Barbara Lowe @ 601-321-6593. In addition, the Equal Opportunity Department may be contacted using the following email address: [eo@mdes.ms.gov](mailto:eo@mdes.ms.gov).

**EXPIRATION:** This bulletin becomes effective December 13, 2005 and remains active until rescinded or modified.

Executive Director  
Distribution: EB



**MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY  
NONDISCRIMINATION AND EQUAL OPPORTUNITY  
NON-COMPLIANCE, CORRECTIVE ACTION AND SANCTIONS GUIDELINES  
EFFECTIVE JULY 1, 2005**

**I. Statement of Policy**

It is the policy of the Mississippi Department of Employment Security (MDES) to provide guidance for the established Department of Labor and Civil Rights Center procedures for effecting corrective actions and applying sanctions, if needed, to ensure that resolution of any non-compliance of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998 section 188 and implementing regulations 29 Code of Federal Regulations (CFR) part 37 can be enforced.

**II. Scope of the Policy**

This policy applies to any recipient (entity) to whom financial assistance is extended, either directly from the Mississippi Department of Employment Security or through the Governor or another recipient (including any successor, assignee, or transferee of a recipient), but excluding the ultimate beneficiaries of the program or activity.

In the instances in which the Governor operates a program or activity, either directly or through a State agency, using discretionary funds apportioned to him/her (rather than disbursing the funds to another recipient), the Governor is also a recipient. "Recipient" includes, but is not limited to:

- A. State-level agencies that administer, or are financed in whole or in part with MDES funds;
- B. State Employment Security Agencies;
- C. State and Local Workforce Investment Boards;
- D. Local Workforce Investment Area (LWIA) grant recipients;
- E. One-Stop operators;
- F. Service providers, including eligible training providers;
- G. On-the-Job Training (OJT) employers;
- H. Job Corps contractors and center operators, excluding the operators of federally operated Job Corps centers;
- I. Job Corps national training contractors;
- J. Outreach and admissions agencies, including Job Corps contractors that perform these functions;

- K. Placement agencies, including Job Corps contractors that perform these functions;
- L. Other National Program recipients; and
- M. One-Stop partners, as defined in section 121(b) of the Workforce Investment Act (WIA), are treated as “recipients”.

### **III. Statutory References**

#### **A. Civil Rights Center**

1. Title VI of the Civil Rights Act of 1964, as amended.
2. Section 504 of the Rehabilitation Act of 1973, as amended.
3. Section 508 of the Rehabilitation Act of 1973, as amended.
4. Age Discrimination Act of 1975, as amended.
5. Title IX of the Education Amendments of 1972, as amended.
6. Section 167 of the Job Training Partnership Act, as amended.
7. Section 188 of the Workforce Investment Act of 1998.
8. Title II Subpart A of the Americans with Disabilities Act of 1990, as amended.
9. Title VII, Civil Rights Act of 1964, as amended. Section 2000e-16, Employment by Federal Government.
10. Equal Pay Act of 1963, as amended.

#### **B. Executive Orders**

1. Executive Order 13160-Nondiscrimination on the Basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a Parent in Federally Conducted Education and Training Programs.
2. Executive Order 13145-To Prohibit Discrimination in Federal Employment Based on Genetic Information.
3. Executive Order 13166-Improving Access to Services for Persons With Limited English Proficiency.

4. Executive Order 11478- Equal Employment Opportunity in The Federal Government.

### C. Code of Federal Regulations

1. Title 28 CFR Part 35. Nondiscrimination on the Basis of Disability in the State and Local Government Services.
2. Title 29 CFR Part 31. Nondiscrimination in Federally-assisted programs of the Department of Labor, effectuation of Title VI of the Civil Rights Act of 1964.
3. Title 29 CFR Part 32. Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Assistance.
4. Title 29 CFR Part 33. Enforcement of Nondiscrimination on the Basis of Disability in Programs or Activities conducted by the Department of Labor.
5. Title 29 CFR Part 34. Implementation of the Nondiscrimination and Equal Opportunity Requirements of the Job Training Partnership Act of 1982.
6. Title 29 CFR Part 35. Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the Department of Labor; Final Rule.
7. Title 29 CFR Part 37. Implementation of the Nondiscrimination and Equal Opportunity provisions of the Workforce Investment Act of 1998.
8. Title 29 CFR Part 1614. Federal Sector Equal Employment Opportunity.

## IV. Definitions

- A The United States Department of Labor's Civil Rights Center- Enforcement Agency for nondiscrimination and equal rights provisions. The Civil Rights Center (CRC), in the Office of the Assistant Secretary for Administration and Management, is responsible for administering and enforcing the nondiscrimination and equal opportunity provisions, and for developing and issuing policies, standards, guidance, and procedures for effecting compliance.
- B. Violation-A violation is a failure to comply with WIA regulations. A violation may range in seriousness from an infraction, or a technical violation, to a more significant discrimination violation. Taking corrective action requires identifying the violation that must be corrected:
  1. Technical violations. For example, a failure to include the required language in an assurance or failure to include the tag lines in a communication.

2. Discrimination violations. Include findings of disparate treatment, disparate impact, and failure to provide reasonable accommodations.
- C. Sanction- Sanctions are the judicial enforcement actions taken, including suspending, terminating, or denying funding, when appropriate corrective actions are not taken to comply with WIA regulations.
- D. Make-Whole Relief-Make-whole relief is “making the person whole” or bringing the person to the condition they would be in if, the discrimination had not occurred. Such relief might involve back pay, front pay, retroactive benefits, training, or any service discriminatorily denied. NOTE-Monetary relief, such as back pay, may not be paid from federal funds.
- E. Prospective Relief-Curative and preventive steps *voluntarily* taken to ensure that a violation does not re-occur in the future.

## **V. General Overview of Corrective Actions/Sanctions**

Any recipient who fails to comply with regulations and provisions as described in WIA section 188 and/or 29 CFR 37 is subject to corrective and remedial actions designed to completely correct each violation. This action is necessary when a violation of the nondiscrimination and equal opportunity provisions of WIA is identified because of a discrimination complaint, a monitoring review, or both a monitoring review and a discrimination complaint. Violations may range in seriousness from a technical violation to discrimination. Technical violations may include failure to include required language in assurances, failure to post Equal Opportunity (EO) notices, etc. Discrimination violations include findings of disparate treatment, disparate impact, and failure to provide reasonable accommodations.

## **VI. Corrective Actions/Sanctions Guidelines**

A. The Key Requirements for Corrective Actions and Sanctions include the following:

1. The Mississippi Department of Employment Security’s Equal Opportunity Department establishing and enforces procedures for effecting corrective actions and applying sanctions, if needed, to ensure that resolution of any non-compliance can be enforced (29 CFR 37.54 [C] [VII])
2. The Mississippi Department of Employment Security’s Equal Opportunity Department documents that corrective actions and prospective relief plans are being implemented and maintained (29 CFR 37.95–37.98).

3. The Mississippi Department of Employment Security's Equal Opportunity Department ensures the imposing sanctions for violations that are not voluntarily corrected (29 CFR 37.110).

B. **Corrective Action Required**-Corrective action is required from a recipient when there is probable cause to believe a violation of the nondiscrimination and equal opportunity requirements of WIA has occurred. The violation may be identified as a result of:

1. A monitoring review,
2. A discrimination complaint, or
3. Both a monitoring review and a discrimination complaint.

A violation is a failure to comply with WIA regulations. A violation may range in seriousness from an infraction, or a technical violation, to a more significant discrimination violation. Taking corrective action requires identifying the violation(s) that must be corrected:

1. A sample of a technical violation could be the failure to include the required language in an assurance or failure to include the tag lines in a communication.
2. Samples of a discrimination violation include findings of disparate treatment, disparate impact, and failure to provide reasonable accommodations.

C. **Appropriate Corrective Action**-The action taken to correct a violation should be appropriate and reasonable given the violation that has occurred. If the technical violation involved failing to include tag lines in a communication, the appropriate corrective action will be to re-issue the communication with the tag lines included.

To correct a discrimination violation, the appropriate corrective action may be to provide make-whole relief.

To make-whole relief is "making the person whole" or bringing the person to the condition they would be in if, the discrimination had not occurred. Such relief might involve back pay, front pay, retroactive benefits, training, or any service discriminatorily denied. The following are examples of make-whole relief:

1. **Make-whole relief for back pay:** the victim(s) is entitled to be made-whole for any loss of earnings suffered because of a discriminatory practice. The amount of money received should be equal to what they would have earned (plus compound interest) had the discrimination not occurred.

2. Make-whole relief for discrimination involving a failure to place an individual in a training program: the victim is entitled to an immediate and unconditional offer of placement into the training program that he or she would have been placed in had it not been for the discrimination.

#### D. Document That Corrective Actions And Prospective Relief Plans Are Being

Maintained-Where a technical violation has been (or can be) corrected immediately, a written agreement or assurance will be provided to document the corrective action taken and the prospective relief that is planned. The following should be included:

1. Corrective actions must be designed to completely correct each violation.
2. For each corrective action, a timeframe should be established that sets the minimum time necessary to completely correct the violation.
3. It is also required that the MDES and the EO officer institute follow-up monitoring procedures to ensure that commitments to take corrective and remedial action are being fulfilled.

Prospective Relief is curative and preventive steps *voluntarily* taken to ensure that a violation does not re-occur in the future. An example of a corrective action plan for failing to include tag lines in a communication would be documentation that included:

1. An explanation that the communication was reissued with the tag lines added
2. The timeframe for reissuing the communication if it has not yet been reissued

An example of prospective relief planned to ensure that all future notices will also include the required language are as follows:

1. Changing the policy, practice, or procedure that allowed for the violation
2. Developing a new policy Communicating the change in policy
3. Educating those responsible for implementing the revised procedures

- E. Impose Sanctions-When all attempts to provide assistance to effect voluntary correction of a violation have failed, or it is apparent that the recipient fails or refuses to correct the violation within the timeframe established, MDES must have procedures in place to impose sanctions.

Sanctions are the judicial enforcement actions taken, including suspending, terminating, or denying funding, when appropriate corrective actions are not taken to comply with WIA regulations. Sanction procedures include the following:

1. List the measures taken to achieve voluntary compliance up through the point when sanctions are imposed
2. Explain that the severity of the noncompliance will determine the sanctions imposed
3. Provide a table or listing of the potential sanctions that may be imposed
4. Detail the notification process including rights of the respondent, time frames involved and provisions for a hearing
5. Identify the individuals who have responsibility for carrying out the various steps in the sanctions process and the role of the state EO Officer and substate EO Officer in this process

F.Non-Compliance, Corrective Action, and Sanctions Guidelines Table-See the attached table that is the model adopted by MDES based on the corrective action/sanction process, used by CRC.